RALPH McGILL

Atlanta Constitution

Buying a Pig in a Poke

Atlanta Georgia

I am made sad by the news from North Carolina. The State, prosperous for many years, has a record of sound politics, good roads, good schools and little racial trouble.

Its political leaders through the years have, with few exceptions, been men of character and ability. They have no ad valorem tax. Their tax structure is simple and productive. The poll tax was abolished about 30 years ago. Negroes hold minor State jobs and have done so for years, with no reverberations. The people have not been mongrelized and all these changes which have been brought about in the State have impelled no moronic tirades about mixing the races, fusing the races, mongrelizing the races, and so on, as we hear so often from our own fanatics.

Now, I read that a dairy farmer recently elected Governor has led a progressive faction to control of the State Democratic Party machinery. Gov. W. Kerr Scott, native of the soil and a conservative farmer, has been making public speeches about his program.

Fri - 3-4-49

Program He has given to the Legislature a program calling for a rural road bond issue of $200,000,000, a school-building program of $50,000,000, and has called for an expansion of rural electrification, rural telephones and has said this will require new taxes. (All this in a State already ahead of others in schools and roads.)

The State has long had a sales tax which exempts anything costing less than 16 cents and also exempts anything sold in a grocery store. Exempting anything less than 16 cents covers bread, pints of milk, and other small food and drug purchases not made at groceries, many of which range around the 5-cent level. Exempting grocery store items omits all food bought for the home. The State is in, relatively, a magnificent financial condition and goes calmly about a new multi-million-dollar program.

Legislature Its legislative sessions seem to have a small degree of shystering, demagoguery, and almost no petty "get-even," "shake-down" or malicious legislation. The rotunda of its Capitol is not daily filled with job-hunters and lobbyists.

The Governor is saying the school building money will be used equally for Negro schools and is saying in his talks that "North Carolina must stop dodging on the racial problem." What saddens me is that if North Carolina, with the progress it has made, is regarded as dodging, what is it the rest of the States are doing?

He is saying that the States must provide separate, but equal facilities and ought to do so because they want to—not because they must.

Taxes Every month the State of North Carolina publishes, in itemized form, the amount of money collected and provides also a table and a diagram showing where the money went. This is distributed to the people and carried by the newspapers.

I do not know, but I would wager that it is very difficult, if not impossible, for the Governor of our State to know these facts. For the auditor, himself, it is a complicated and tedious task and one almost impossible to portray to the people in a simple and easily understood table or graph.

Future One is the more saddened because we do not seem to be planning to do anything about it here in Georgia.

We are to have a referendum in April.

This referendum is nothing more than a pig in a poke. All it says is, "Are you in favor of more taxes for more services?"

It does not say what kind of taxes. I am not here trying to advocate any system of taxation. Many of the Legislature have said they are committed against a sales tax. But they have not said what sort of taxes we will be buying if we buy the pig in a poke in the April referendum.

Fri - 3-4-49

Taxes During the progress of the referendum bill there were certain taxes discussed. Let's examine them.

One called for an increase in the tobacco, or cigaret tax. Another called for an additional tax on gasoline. Still another suggested a tax on each soft drink. A fourth asked for an increase in income taxes.

Let's take them up one by one.

The proposal to add two cents tax on cigarets would bring in about $4 to $5 million. A one-cent tax on soft drinks would contribute about $1½ to $2 million. Another cent added to each gallon of gas would produce an approximate $5 to $6 million. An increase in income tax was figured as worth $5½ million.

They figure somewhere around $16 million.

That isn't nearly enough. It won't even rattle in the bucket needed to pay for the services we want—and need.

Not Enough Not only that, but we can figure that the tax collections this year are going to be somewhere between $8 and $15 million less than they were last year.

The proposed increases will just about make up the deficit. They won't leave much extra—if anything—to carry out the services.

So, really, while we are buying a pig in a poke we know the pig is mighty thin and won't render us more than a bushel of chitlins and a pint of lard.

So, the nuisance taxes not only don't make good sense, from a tax viewpoint. They don't make any money for use.

The Legislature can't now tell us what it will do in 1950.

And, as a matter of fact, we, the people, haven't let the Legislature know what sort of taxes we prefer—if any.

It's saddening. And even if we vote "yes" in April the outlook will still be sad.

Ark. Solon Stops Daughter, 8, From Applauding Truman Tal

Baltimore, Md.

The Afro American

WASHINGTON—Drew Pearson, syndicated newspaper columnist, told an interesting story of how Southerners, wittingly or unwittingly, teach youngsters race hate at an early age in his "Merry-Go-Round" last week. Mr. Pearson wrote: "When President Truman came to the crucial civil rights issue in his State-of-the-Union address, he had at least one sympathetic listener—8-year-old Tolise Gathings, who sat on the lap of her daddy, Rep. E. C. Gathings, of Arkansas, while the President spoke.

Sat. 1-22-49

"Little Tolise listened profoundly and joined enthusiastically in the outbursts of applause. This caused Pap Gathings to beam proudly—until the President started talking about civil rights.

"Suddenly the Southern solons froze in their seats, their hands folded in their laps, and a funeral-parlor hush fell over them. But not Tolise Gathings. She clapped the white-haired gentleman on the rostrum just the same—until her daddy, with an embarrassed flush, reached down and caught his daughter's hands. He didn't let her go, either, until it was safe for an Arkansas Congressman to applaud again."

Georgia And Alabama

Montgomery Advertiser

Montgomery Alabama

The Talladega Home has come to grips with a question that has often intrigued us, and with the same negative result. What accounts for the differences in Georgia and Alabama?

The Talladega paper observes:

Thur. 1-27-49

There seem to be a good many differences between Alabama and her neighboring state of Georgia which make for interesting speculation.

Alabama—it will be recalled—is a States' Rights state, one of the gallant four which delivered their electoral votes to Governor Thurmond in protest against the "civil rights" police state policies of the national Democratic party.

Georgia didn't go for States' Rights. Georgia, which rendered the loudest lip service to the cause of racial good will has of all Southern states the blackest record for mistreatment of Negroes.

Alabama, which stood openly and proudly for the ancient way, has perhaps the best overall racial relationships in the union.

Headlines in Georgia tell of lynchings, of shots fired out of the night, of mass intimidation.

Headlines in Alabama tell of the building and development of schools and hospitals for Negroes.

Headlines in Georgia tell of inability of Negroes to obtain justice in Georgia courts.

Headlines in Alabama tell of white juries which administer justice with stern impartiality—administering full punishment to white men found guilty of major offenses against Negroes.

The difference in the two states is easy to see, but hard to explain.

These differences might be multiplied. There is a violence and ferment in Georgia which is not evident in present-day Alabama. For example, we cannot believe that a pretender could seize and hold the office of governor in Alabama as Talmadge did in Georgia.

Thur. 1-27-49

It is true that less than two generations ago such violence pulsated through this state. The belief that the governor's office was twice stolen from Reuben Kolb, of Eufaula, actually resulted in the threat of civil war in Alabama. That was in the 1890s and it seems incredible now, but it is a fact duly attested by the histories of Alabama. But that was a half century ago.

Georgia and Alabama are out of the same clay. Alabama was settled by people from Georgia; her first governor came from Georgia; and for a long time the so-called Georgia crowd dominated Alabama politics. The two states might be one state for the identity of their histories, but there seems to be a latter-day difference of mood if nothing else.

Birmingham News

RACE QUESTION—Agitation over the race question made news here a half century ago.

The society bulletin recalls: "On Jan. 22 (1899) the Regent of the White Shield protests Booker T. Washington's proposed lecture, which took place later on March 30. Washington published a long article on the race question June 22."

Thur. 3-3-49

Birmingham Ala.

The Spanish-American War ended that year and Adm. Dewey, hero of the Philippines returned to New York Sept. 29 for a big parade in his honor.

Adm. Schley, another Spanish-American War hero, was honored with a parade marking opening of the Birmingham State Fair Nov. 7.

Thur. 3-3-49

And the Third Alabama, the state's Negro regiment, the bulletin reports, was mustered out at Anniston on March 19.

THE HORIZON

Color Proscription Not Only Scars Its Victims But Its Creators as Well

By P. L. PRATTIS

The import of this column is addressed to Miss Lillian Smith, the Southern white woman who cares for all humanity so ardently and specializes in love of children. Miss Smith's consciousness of the standpoint of so-called differences, came to life in her childhood.

Tenderness [illegible]

As I recall, another little girl had lived in her home. The two children loved

each other. But at a certain age it was learned that the other little girl was colored. Or maybe it was known anyhow—and then a certain age was

Mr. Prattis

reached, the age for a type of discretion so far as friendship between the races is concerned.

The other little girl was sent away (back to her people, perhaps) and an idyllic friendship was killed. This action of interest in racial matters which has remained with Miss Smith until this day.

* * *

Sept. 1949

THEREFORE, I SHOULD like for her to know of a true story which has just come my way. This story has to do with a little girl, a white girl 10 years old, and two families, one white, the other, colored, in a Southern State.

The little white girl was one of six or seven children belonging to this middle-class white family. But for some strange reason which neither the mother nor father could fathom, she was dark, much darker than her brothers and sisters. But she was white. Neither father nor mother questioned that. Their love for this little tan-colored girl was no less than that they held for their other children.

But as the little girl grew, the slight difference in color did make a difference in her little white world. In many, many ways, cruel ways, the child was made to feel that she was different. Eyebrows were raised. Questions were asked about her. School children applied nicknames to her.

* * *

SOME TAUNTED HER. Others shunned her. She became what is known as an introvert. She was a very, very unhappy child. She was made unhappy by other children because they learned from their environment that there was something different about color that required a certain behaviour of them. They were captured early by the social mores. As a consequence, they plagued this little gir' as though she were COLORED.

The unhappy circumstance involving this daughter did not escape the parents. It created a problem which they did not know how to solve, but they never gave up trying and they never stopped loving this child. They may have even loved this girl more because she needed more love.

Then something fortuitous happened. In this particular community, there is a large number of light-skinned Negroes. Some of them are prosperous enough to be regarded as middle-class. Furthermore, some of the happenings of the not-too-distant past have been such as to create an area of understanding and friendship between some of the white and some of the Negroes in the town and county. As a result, there was nothing abnormal about visits between whites and blacks, particularly children.

* * *

THAT IS HOW it happened that our little girl in this story came to visit one week-end with a colored family. She was overcome by the experience. She returned to tell her parents that she had never been so happy. The change in the girl's spirit was so noticeable that her parents were deeply impressed.

Well, one visit led to another until the little girl was spending almost as much time in the home of the colored family as in her own. She was also making friends among the colored children.

What to do? There came a time when the little girl, having found happiness, did not want to return to the environment in which she had been so unhappy. She did not want to go back to her home. She wanted to stay with the Negroes, to become their daughter.

* * *

HER DESIRES PLACED her parents in a serious dilemma. What should they do? They loved the child. But they knew how unhappy she had been in their world. They also knew how she had blossomed out in the new world of her choosing. The parents wrestled with the question of their love and the child's happiness. The colored family was willing, and had the means, to adopt the child.

The white parents had to decide whether for the sake of the child's future happiness, they should sacrifice their own love and give her over to another race. The soul struggle was not easy—for father or mother. But, finally, through their love, they saw that the little girl's happiness meant more than anything else. So they agreed to the legal adoption of this white girl by this Negro family.

By law, if not by blood, this white child now becomes black. No matter how great an artist she may become, she'll never be allowed to sing in Constitution Hall because of her race!

* * *

I AM HOPEFUL that this child is going to continue to be happy, that she will grow up without regrets and that the recollection of her childhood days will enable her to stand strong in the trying future.

She is a victim of the soul-scars about which Miss Smith is so intelligent and so sensitive. She is a prime example of how the system of segregation set up in the South turns in upon its fabricators and spiritually impairs not only its victims but its creators as well. This system generates a poison that, like a malignant disease, attaches to every human personality without personality without regard for race or color. It debases human beings.

MAYS. Pittsburg Courier Negroes Mustn't Allow Themselves to Become Divided Into Groups In North or South

By BENJAMIN E. MAYS

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier. — The Editors.)

AS HOBSON REYNOLDS said recently, Negroes must not allow themselves to become divided into southern and northern groups. These were words of wisdom. I suppose I liked what he said because I have insisted over a long period now that the Negro's problem is one problem. It is not one thing in Mississippi and another in Massachusetts; not one thing in Georgia and another in New York. The Negro's problem is the same whether he lives in New England or in Texas.

Dr. Mays

The one aim is to become a full-fledged American citizen. And nowhere in this country is he a first-class citizen in every respect. Any fair appraisal of the North and the South would reveal the fact that the Negro on the whole, is much nearer first-class citizenship in the North than he is in the South. I know first hand, the South, the East, and the West.

I KNOW THE South about as well as any man living. I travel each year over a large section of this country. I was schooled in the South, in the East, and in the West.

The Negro is nearer first-class citizenship in the North because he can and does use the ballot without intimidation and has exercised it over a long, uninterrupted period. The courts are fairer, educational opportunities are more nearly equal, and segregation by law does not exist. But the North is no heaven. It has its own devious ways of making the Negro less than a first-class citizen. Discrimination against the Negro is heavy in the North.

If there is a race riot in Detroit, the Negroes of the South are involved. If he cannot live where he is able to buy in Detroit, it is also true that he cannot live where he is able to buy in Atlanta. If there are jobs he cannot hold in the North, there are jobs he cannot hold in the South. The problems are sufficiently similar for the Negro to understand that though he may live in Boston, he cannot cut himself off from his blood brother who may live in Mississippi. In fact, we should be concerned wherever any man, black, white, yellow, or brown is mistreated.

THERE ARE FORCES at work in the South designed to make Dixiecrats out of the Negro—that is, forces designed to force the Negro to join the white South and say "let the North stay out and the South will handle its own affairs." The frequent tirade against Negro leadership in the North on the part of many Southern whites is aimed at alienating Southern and northern Negroes. The Southern Negro will be stupid indeed if he falls into this trap. Likewise, the Northern Negro will be equally stupid if he lifts his eyebrow at the Southern Negro because he, the Northern Negro, has a little more freedom and a few more privileges than his Southern brother. As long as we in Georgia are segregated, the position of the Negro in the North is untenable. America cannot exist half free and half slave.

Then too, the South is a part of these United States. It cannot be "let alone." New York is a part of these United States and it cannot be "let alone." We should all work together, North and South, Negroes, Jews, whites, and other racial groups, to make America freer and better in every way. And of all people, the Negroes should understand that this is their task.

'HELP WHITES HELP YOU' IS APPEAL TO NEGROES

Publisher Emmerich Scores Outside 'Spokesmen'

CALLS FOR IMPROVEMENT

By The United Press

UTICA, Miss., Feb. 9. — States' Rights Leader J. O. Emmerich called on Mississippi negroes Wednesday to "lend a hand to white leadership" which seeks to better the negro's lot.

Mr. Emmerich, McComb publisher, said Southern negroes should stop letting Northern negroes speak and think for them.

Stand For Betterment

Speaking to the 46th annual Utica Institute Negro Farmers' Conference, he added that most white people stand for improved negro education, housing, health, and general welfare.

"Then why jeopardize all of these things through failure to combat loose-lipped utterances of negroes away from here who know little or nothing about conditions, and who care less?" he asked.

"It is time for negro leadership to become articulate, and to lend a better helping hand to the white leadership within the State that is seeking to bring about negro progress," Mr. Emmerich said.

"The failure of Mississippi negro leadership as a whole to speak out boldly for the things they believe in has permitted New York leaders, who are more interested in political advantage than human reform, to hold the spotlight of attention," he said.

"Many of the things paraded as race problems are merely imaginary, and create a cloud that conceals the truth. Negro leaders can help remove this cloud by speaking out against these imaginary things, such as racial equality, as an aim of the negroes of the South.

Time For Courage

"I know that sensible Mississippi negroes comprehend the fallacy of intermarriage. Then why let the champions of this rot lead the public to think that they are speaking your sentiments?

"It appears at times that Harlem demogogues have a hoodoo over many of the negro leaders of the South," Emmerich said. "The time is at hand when negro leadership should manifest greater courage within the negro race.

"We must develop a negro race that is self reliant and prosperous. So long as negroes of the South are tools of the politicians of Harlem, so long will needlessly agitated emotionalism block their progress. Mississippi today needs the courageous cooperation of practical-minded and patriotically-moved negro leadership. This is the negro challenge of this hour."

Visitor Likes Us—

Ex-Minnesota Senator Sold On City, Commends Racial Setup As Excellent

The News Birmingham, Ala. Sun.-1-2-49

BY FRED TAYLOR

This could well be entitled: Hendrik Shipstead discovers the South or, more particularly, Birmingham. Birmingham, Ala.

The big, rugged former Minnesota senator is frank to say he has been bowled over by our city during the several weeks he has been here. He and Mrs. Shipstead are visiting their son and his family.

The ex-solon has become so completely sold on our town that the Chamber of Commerce ought to strike off some sort of medal and present it to him.

TAYLOR

In fact, he has become such a Birmingham booster that he sounds almost like Ervin Jackson talking.

* * *

APPLAUDS RACE RELATIONS — During his visit here, the man who served 24 consecutive years in the U. S. Senate has been doing more than give the city a casual once-over from a downtown office or hotel window. He has done more than shop through the downtown stores.

He has driven around the city and its suburbs. He has ridden buses to and from various sections to observe the people, see how they act.

Principally, he wanted to satisfy his curiosity about race relations in a large Southern city. He wanted to check on reports—on impressions he and others of his state and other Northern and Eastern states have gained from a distance through the years about race relations in the Deep South. The News

"I have been pleasantly surprised," said Mr. Shipstead. "Your race relations are excellent—nothing like many persons in the North have been led to believe." Sun.-1-2-49

"WRONG IMPRESSION"—The former senator, son of a Norwegian immigrant, is widely traveled. He has seen much of this country and the world and observed conditions in many spots on the globe.

As a stranger, who has kept a very critical eye on this city and its people for several weeks, he told this column:

SHIPSTEAD

"I want to compliment the white and colored population of Birmingham for the excellent way they get along together."

He was frank to say he though "wrong impressions" had gone out about the way Negroes are treated here.

"They are not treated as dogs or pigs, as some people in the north seem inclined to believe," Shipstead added.

"I haven't seen the first white man being arrogant with Negroes. Neither have I seen any Negroes acting up. The colored people I have seen—and I have been observing them with great interest—are well behaved."

* * *

SEGREGATION WORKS—The oped will bring them, he is convinced.

The climate delights him.

I asked him if this cold snap reminded him of his native Minnesota, where it really gets cold.

"This little cold snap?" He shrugged his shoulders, chuckled and added with great emphasis: "My boy, this is not cold weather!"

No Negro Problem

Montgomery Advertiser

Congressman Sam Hobbs told a reporter in Toronto the other day That there is no Negro problem in Alabama. He said "The Negroes are the sweetest, gentlest, and happiest people on earth. We love them and they love us."

Congressman Hobbs went further and told the reporter that lynchings are as heartily if not more heartily condemned in the South than the North. "Up North," said Congressman Hobbs, "they don't say they have lynched a Negro, they just say 'a group of 500 righteously indignant people got mad and stoned a Negro to death'." Tues. 4-5-49

Congressman Hobbs was attending the Canadian Council of Laymen, in Toronto.

Congressman Hobbs said that Negroes who reach the voting standard should be allowed to vote.

Race Problem

Montgomery Advertiser

Not Difficult, Says Sparks

Montgomery, Ala.

Can't Hide Misconduct Behind States' Rights,' Ex-Governor Asserts

SYLACAUGA, ALA., Feb. 10 —(AP)—Former Gov. Chauncey Sparks said today the South can work out a plan under which the Negro will be provided equal opportunity, yet retain segregation. Fri.-2-11-49

In an address before the Sylacauga Exchange Club, Sparks said he believed members of both races favor racial segregation. The former governor was an anti-walkout delegate to the Democratic National Convention last year.

"We have lived through a period of great change," said Sparks. "There have been changes in industry and agriculture. The South has kept pace with these changes. Now, we are going to have to make changes in our political structure."

Sparks said the so-called civil rights menace to the Southern way of life had been grossly exaggerated by people who had not even read that plank of the Democratic Party.

"These Northern Democrats are a pretty nice bunch of guys," he said. "We need to show them our cause and our problems. If we can do this, I am sure we can retain our way of life, yet be just and fair to all racial minority groups."

"We cannot hide misconduct behind the shield of states' rights," the former governor added.

Need National Party

"The South can prosper only under the banner of a national party. We must go along with the Democratic Party, for we are all Democrats.

"While we were dog-fighting among ourselves during the campaign," he said, "the Republicans thought they would grab the bone and run off. But this didn't happen."

He said there were certain duties that were better handled by the federal government. He gave, as examples, requests for funds made to Washington by the states for roads, hospitals, schools and electricity.

Sparks quickly added that he was not in favor of a top-heavy federal government, as the states had certain rights guaranteed them by the Constitution.

"I still contend," he said, "that the best governed people are those who are least governed."

For Earnest Consideration

To the Editor:

In Monday's Age-Herald there appeared an editorial, "Substituting a Hope," of such surpassing merit, both from a humanitarian standpoint and as emphasizing a standard of moral conduct, as to deserve the earnest consideration of all persons of good will or who are interested in the highest welfare of the community. For the benefit of those who did not read that editorial, and indeed for all as the matter will bear repetition, liberty is taken to quote freely.

Birmingham Ala. Mon.-2-10-49

"It is difficult for a white man to understand fully the situation of the young Negro growing up in this section. First of all he is likely to find it very hard to get a good education in his home city. There is the inescapable fact that Negro teachers and facilities for Negro education from the first grade through the college level are less good than are those for white students. The News presented figures from the records of the U. S. Office of Education which are irrefutable. For example, in Alabama the value of school property per white pupil enrolled is $145; per Negro pupil enrolled it is only $30."

Again, and perhaps even more pertinent: "Negro children growing up in the South find it very difficult to live the normal gregarious lives of young people. Where in Birmingham will a group of Negro boys aged 12 to 16 go to find wholesome recreation? There are some Negro playgrounds, but they are not very well equipped. There is as yet no Y. M. C. A. building for Negroes. There are not enough swimming pools to take care of all the Negro youngsters who would like to use them. Too often the colored child is thrown out into the street to find his play. No wonder that many of them become delinquent."

Here are the facts succinctly presented. Perhaps the gist of what one editor or commentator can do is so to present them and commend them to the careful consideration of the public. And, in conclusion, a couple of questions. Is a youth spent in conditions of frustration, in education, in recreation and entertainment, in living conditions conducive to serene and happy adult life, or to bitterness and a sense of degradation? Do the facts as above presented by the editor reflect conditions which should exist in a truly Christian community, a community dotted with hundreds of churches dedicated to the worship and professing to follow the teachings of One who delivered that most sublime precept, the very heart and core of Christian conduct, "Do unto other as you would they should do unto you?"

J. MELANCON.

4235 Fifth Avenue, South.

Second Major Challenge

(From The Catholic Week, Birmingham)

This week the people of Jefferson County received their second major challenge in less than a year to prove themselves worthy of local resopsibility in working towards the final solution of the vastly complex problem of racial relations. Birmingham News

Last Summer a band of night-riding, robed and hooded men perpetrated terrorist activity by invading a Negro Girl Scout encampment near Bessemer and by submitting the two white women instructors to embarrassment and humiliations and by warning them to leave town within 24 hours, or, presumably take the consequences. Birmingham News

This brazen and cowardly action aroused public indignation to a very high pitch. The demands for proper punitive action came from every recognized group in the city and county.

At that time there was much agitation on the "civil rights" program of the federal administration. The South was standing for local rights and, presumably, for local responsibility. Here then was a chance to prove itself worthy of such local responsibility.

Last week-end Birmingham witnessed another brazen, cowardly and most un-Christian attack on the Negro citizenry of the community when persons unknown partially demolished by explosions three Negro-owned homes. These homes had at one time belonged to white people. All had been sold to Negroes and were expected to be occupied soon. All three were vacant when they were bombed in the early hours of last Friday morning. Fri.-4-8-49

Admittedly there was a problem involved in the exchange of these homes. It was a problem centering on Birmingham zoning regulations. But these homes were bought by the new Negro owners in good faith. Whatever difficulties there were in this transfer should have been met within the orderly processes of the law.

This willful, premeditated act of violence is a crime against the integrity of our Negro citizens; it is crime against the natural right to possess private property. It is an invasion of human rights. It is against all Christian principles.

The Catholic Week, in the name of the Catholic people of the community, raises its voice in protest and in condemnation of this most recent outrage. It urges effective action on the part of local law enforcement authorities in the arrest and punishment of those guilty of this crime.

The Chivalry Of Mr. Horace Wilkinson'

Montgomery Advertiser

EDITOR, THE ADVERTISER—In reference to Sunday's "Rankin File" column depicting the chivalry of the beloved hero, Mr. Horace Wilkinson, it seems to be obvious that Mr. Wilkinson is one of the Southern patriots whose thinking and actions are responsible for the controversy. Men like him only hold such beliefs for personal gains. His ideas and beliefs, as concerning the race, are far-fetched. It is hard to believe an intelligent man would be so narrow minded.

Mr. Wilkinson speaks of the character of the Negro. From the article written about him there seems to be a leak in his character, or that he is using a word that he does not know the meaning of. As for his stand on the Negro vote question, he undoubtedly must be afraid of the Negro's character—afraid the Negro may use his vote wisely. Thurs. 2-24-49

My advice to Mr. Wilkinson is for him to discard those radical theories of his, and Join the freedom bandwagon for a better South. No matter how much he is moving forward—forward to a better and his kind refuse to submit their thinking to justice and liberty for all, the South and higher goal, a goal of true democracy.

WILLIE E. MARSHALL,
Alabama State College.
Montgomery.

Race Trouble Feared If Camp For Negroes Built Near Mobile

MONTGOMERY, Ala., July 1—(AP)—A proposal to build a Negro camp on state property near Mobile brought a warning from a legislator that it would invite "race riots."

The question came up yesterday while the Senate conservation committee was discussing a bill to prohibit the leasing of any more land on the Mobile Bay Causeway, which runs from old Spanish Fort, Baldwin County, to the Bankhead Tunnel, Mobile.

State Conservation Director Bert Thomas objected on the grounds that he wants to build a camp for Negroes along the causeway. He said members of that race had complained they don't have adequate recreation facilities around the bay and they cannot rent boats.

Nevertheless, the committee gave the bill a favorable report.

Rep. L. A. Brannan, of Baldwin, protested strongly at any suggestions of a Negro camp and told the committee:

"You talk about race riots, you'll have them if you put a camp down there where Negroes can buy beer and whisky. Recent race trouble in St. Louis and other places won't be anything compared to what you'll have if you build a camp on that causeway."

* * *

REP. TOM JOHNSTON, Mobile, disavowed any connection with the racial problem in the bill which he and Brannan helped write. He said the Negro question is not involved in anyway and was not even in the picture until a few days ago.

Both he and Brannan said Negroes have the right to rent boats along the causeway and are doing it.

Another witness, Col. H. M. Gaustad, Mobile, told the committee Negroes will have all the recreational facilities they need around Mobile, especially if a bridge is built to Dauphin Island. Mobile voters will decide on the Dauphin Island bridge in a special referendum to be held soon and Gaustad said one-half mile of the beach on the island has been allocated for Negroes.

Besides that, he said, they already have camps in Mobile and Baldwin County.

Negroes' Answer To Problems Lies In Their Own Backyards'

"The answer to the Negro's problem of gaining success lies not in the civil rights bill nor in the Urban League, but it lies in the Negro himself, who has the solution right in his own back yard."

This is from the prize-winning essay in a recent statewide contest sponsored among Negro high schools by the Americanism division of American Legion in Alabama.

It was written by Alice Sexton, Hooper City High School, Sayreton. She was awarded top prize of $25 in this first contest conducted under supervision of Dr. Claude M. Hagood, director of the Legion's Americanism division.

Dr. Hagood said several hundred high school students from about 40 Negro schools participated. The contest was directly supervised by R. E. McDonald, commander of the 10th Alabama Negro district of the Legion, which has 20 posts.

Haygood says this contest will be conducted annually, with more Negro students urged to enter. He said the Legion hoped to award larger prizes in future contests.

The prize-winning essay titled "Opportunities America Offers Me," follows:

America is the land of my birth, that portion of the earth to which, by reason of birth and protection I owe a supporting service. Although, an American Negro, with many justified grievances against my country, I love it because of its many unguessed benefits which surround me and make life practicable, and I also love it because of its ideals. To me America is a vision of life, a conception of free people making their way, constantly and unendingly against every challenge that presents itself—the challenge of the greed, the indifference, the laziness and the wilfulness of man's own nature.

My being a Negro citizen of America does not dim my hopes for success, for I have a chance to rise equally with my brothers if I grasp the opportunities that are before me. A great many opportunities exist for the establishment and promotion of a profitable Negro future.

* * *

IN THIS BOUNTIFUL land of opportunities, I have a variety of choices. The conditions existing for me may not be as good as I would like them to be, but they are better than I realize. All it takes is a little will power to take advantage of what is offered me. If I would choose business as my lifetime career, I have numerous sources of gathering knowledge in the different universities in America. Secondly, there are quite a number of businesses from which I can acquire aid, and thirdly, there is a spirit of cooperation that exists among all true Americans. This cooperation will aid me in my accomplishments.

The cause of many failures of my people is their negligence in taking advantage of the chances offered. We want the best without putting forth any effort whatsoever. The answer to the Negro's problem of gaining success lies not in the Civil Rights Bill nor in the Urban League, but it lies in the Negro himself, he who has the solution right in his own back yard. I have the golden opportunity to do what I desire at the present. To be a success in whatever I endeavor, I must work with what I have on hand, and then I can make things better for me and my people in the future by accomplishing something worthwhile.

American democracy provides opportunities for all of its citizens to accomplish whatever they desire, in the different fields such as business industry, journalism, teaching, etc. Teaching is the field of work I have chosen for my life's work. I have attended public schools for 12 years and have been treated in a democratic way. I plan to attend a college that is equipped with all the modern facilities that a citizen of any country could admire and enjoy. This is just one example of the numerous advantages in America.

* * *

HERE IN AMERICA, everyone isn't on the same level, because it takes all types of people to make a profitable country, but all of us can enjoy what no other countries can—the four freedoms. By living in a land of plenty, I have the opportunity to earn a living and thus avoid poverty; I can live unafraid of my surroundings, my fellowmen, because of certain laws that protect me. Because of freedom of religion, I can worship as I please, for every person needs spiritual guidance in his undertakings. And lastly, I may speak as I please as long as what I say does not infringe upon others.

My living in a modernistic and scientifically-developed country is no cause for me to sit back and be content. There are many jobs that need completing and many more whose doors need opening so humanity can reap the benefits. Great men have brought us to this point of modernization, and it will take greater men to reveal hidden secrets that are not yet completed. This in itself is an opportunity for some youth of today. Not only America, but also the world, is seeking someone who can make a worthy contribution to the cause of world betterment.

* * *

MY BEING of the Negro race is no excuse for not grasping some of the opportunities in which I think I can do well. In every phase of America life, the American Negro has been a success—in politics, education, entertainment, sports, etc. He has shown his ability with utmost skill and practice. In a recent session of an Alabama Business Clinic, sponsored in cooperation with the United States Department of Commerce, Emmer M. Lancaster, special adviser to the secretary of commerce on Negro affairs, stressed the part Negroes are playing in the field of architecture, medicine, insurance and financing. He cited examples of outstanding success in the field of financing and in creation of building and loan enterprises which have proved especially successful.

As a Negro American, living in a land of abundance, I shall make the most of the opportunities offered me by seeking the light of knowledge and spreading it around by using the things I have until I get the things I want.

A Regrettable Sermon

EDITOR, THE ADVERTISER — "It is safe to tell Negroes." This subject was advertised on the bulletin board where the Sunday school services are announced last week at the Dexter Avenue Negro Baptist Church as a subject for a sermon or a discussion for Sunday.

Late Saturday night the police were investigating the placing and burning of a three-foot cross by an unknown party in front of this church.

This subject if preached upon as scheduled did not help improve racial relations between the white and colored people of Montgomery and will only serve to inflame the hotheads of both races.

Both races have to come in contact with each other all the time here in the South and can live in peace and harmony as separate and distinct races and I am sure the majority of the right-way thinking people of both races deplore the preaching of this inflammatory sermon which can do no good.

Montgomery. S. STANFORD.

PURSUIT OF DEMOCRACY

Pittsburgh Courier

Americans Have Growing Concern About Deplorable State of Capital's Negroes

By MARJORIE McKENZIE

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier—The Editors.)

THE other day in Buffalo I heard a speaker from Washington address a [illegible] audience. He made only a passing reference to the deplorable state of the Negro residents of Washington, since he was speaking of other matters, but in later conversation with him many of his white listeners said they wished he had told them more about Washington's racial problems.

M. McKenzie

Their interest, which insatiably sought the facts, reflects the growing concern of many Americans about the Nation's capital. And, in turn, this interest is the direct product of the merciless publicity which has been turned on Washington in the last few years.

Such a development should be encouraging to sociologists, civic workers and public relations experts. For often people who work only with the tools of words, with facts and figures, feel that the cleavage between their work product and direct social action is too great.

TEN YEARS AGO, an inquiring mind could not have discovered any social data worthy of the name about the Negro population of Washington beyond its size and its tuberculosis and venereal disease rates. The sociology departments of the local universities had indicated their awareness that they were sitting on a community case history that would put a professor's hypothesis to shame.

In 1938, a student at Howard University wrote a Master's thesis on the employment of Negroes in the Federal Government. It was the only sensible piece of information on the subject you could put your hands on, and nothing more followed for five years. But, the job of discovering what was, and is, thoroughly rotten in Washington was beyond any university departmental staff, either in terms of manpower or financial and publishing resources.

One of the really active agents in mobilizing the prestige and support of the national forces that began finally to operate on Washington was The Pittsburgh Courier. It stimulated the formation of a local committee to abolish discrimination and segregation in the Nation's capital.

* * *

THE PEOPLE of Washington are a voteless, defenseless people. Their protest is short-lived and they think long thoughts about their job security. Thus, The Courier's campaign was hampered by their inertia.

Outsiders have a stake in Washington, however, and they began to dig out the Negro's story from the muck of Washington's black alley ghettoes. This activity culminated in the Report of the National Committee on Segregation in the Nation's Capital, published in November 1948 and financed with Rosenwald funds.

The report had been fed by many joint and separate efforts including the Report of the President's Committee on Civil Rights, which preceded it by a little over a year.

AN INTERRACIAL group of Washington citizens, under the auspices of the Washington Council of Social Agencies and with the loan of the staff of the Washington Urban League, had submitted a summary of local conditions in 1946. Their own sponsor never approved their report because of the recommendations regarding the elimination of segregation, but the findings were available to anyone who cared to read them. Apparently many did.

Mary E. Morton, a psychologist in the War Department, had written an article for the Journal of Negro Education (Vol. 16) on the education of Negroes in the District of Columbia, which laid to rest any ghosts that may have been floating around the myth of equality in the District's separate school system.

For those who doubt the power of the pen, when it is backed up by facts, we have the spectacle of some of Washington's white citizens trying to face up to the administrative action which promises an early end to segregation in the city's playgrounds.

* * *

CITIZENS ASSOCIATIONS may balk and pass resolutions, but they cannot stay the onward rush of the snowball of cultural change. It has picked up momentum in Buffalo, N. Y., and in a thousand other places in the country, and it descends, even on Washington. For though the city has stood impervious to its democratic and symbolic obligations, its disgrace is exposed and must be eliminated for the sake of all.

Never protest the making, never doubt the efficacy, of a competent analysis and reporting of a problem. Save the protest for inaction AFTER the report is published. Should inaction follow, then something is deeply, perhaps hopelessly, wrong.

In The Nation's Capital

General

Decision On Fight For Rights Needed

By LOUIS LAUTIER For NNPA News Service

COLORED PEOPLE themselves must make the decision whether they will accept anything short of the democratic ideal of full equality in the social programs fostered and aided by the federal government. They must make up their minds whether they will acquiesce in race segregation and discrimination for immediate gains in social reforms or whether they will oppose federal grants for any program not conditioned upon the absence of race discrimination and segregation. The question was present in the Senate debate on the housing bill. It is present in the debate which is scheduled to begin soon in the Senate in federal-aid-to-education legislation. President Truman's Civil Rights Committee recommended the conditioning of all federal grants-in-aid and other forms of federal assistance to public or private agencies for any purpose on the absence of race and religious discrimination.

MR. LAUTIER

* * * *

IN ITS REPORT to the President the committee said it did not believe that federal funds, supplied by taxpayers all over the nation, should be used to support or perpetuate the pattern of segregation in education, public housing, public health services, or other public services and facilities generally, and added that it would be regrettable if federal aid, conditioned on nonsegregated services, should be rejected by sections most in need of such aid.

The National Association for the Advancement of Colored People, which last year supported unequivocally the bill reported by the Senate Labor and Public Welfare Committee, while favoring federal aid to education in principle, wants the 1949 bill amended so as to reduce the inequalities in educational opportunities between white and colored pupils within the states maintaining separate schools.

Under the 1949 bill, the federal government would allot to each state a flat sum of $5 a child or an amount sufficient to povide an average annual current expenditure of $55 a pupil in average daily attendance, whichever is larger.

IN ORDER TO qualify for receiving federal funds, states would be required to provide for "a just and equitable apportionment" of such funds to public schools maintained for a minority races without reduction of the proportion of state and local moneys expended for educational purposes during the fiscal year ended in 1949 for public schools for minority races.

The bill also provides that in states having separate schools there shall be available from all sources to each local school jurisdiction or other state public education agency for current expenditures for the schools maintained within such local public school jurisdiction, or under the jurisdiction of other state public education agency, for such races an amount per pupil in average daily attendance in such schools not less than $55.

"And just and equitable proportion" of the funds provided under the bill for the benefit of public schools maintained for minority races in a state which maintains by law separate public schools for minority races is defined to mean "any plan of distribution which results in the expenditure, for the benefit of such a minority race of a proportion of said funds not less than the proportion that such minority race bears to the total population of the state.

* * * *

UNDER THE proposed bill, the federal allotment to Mississippi would be $29.18 per child between the ages of 5 and 17 years of age. Presumably this allotment would give every colored child in that age group in Mississippi in average daily attendance $55 worth of education a year.

While that would be a great improvement in the dual school system in Mississippi, it would not require the State to remove present inequalities between white and colored schools.

According to the Census Bureau, the colored school population of Mississippi exceeds the white. There are in the state 317,385 colored children between the ages of 5 and 17 years, as compared with 297,619 white children in the same age group. But the average daily attendance of white pupils in Mississipp was 244,366, as compared with 233,142 colored pupils.

* * * *

TOTAL CURRENT expenses in the year 1945-46 for white schools in Mississippi was $17,435,274, as compared with $3,125,642 for colored schools. The per capita expenditure for white pupils was $75.19, as compared with $14.74 for colored pupils. The average salary for white teachers was $1,165, as compared with $427 for colored teachers.

In order to qualify for federal funds under the proposed bill, Mississippi and all other southern states should be required to remove such inequalities from their dual school systems since one of the fundamental principles of the bill is the equalization of educational opportunities.

'Bias Will End In 100 Years'

—Dr. E. F. Frazier

(The Pittsburgh Courier Press Service)

WASHINGTON—"For those who insist that 'it takes time' to solve, eliminate segregation and discrimination, I say 100 years is time enough."

Dr. E. Franklin Frazier, head of the sociology department of Howard University and the first Negro president of the American Sociological Society, made this declaration in an address before the Capital Press Club last week.

Dr. Frazier declared that the year 1963 will mark the 100th anniversary of the Emancipation Proclamation and urged Negro newspapermen to adopt as their long range objective the achievement of total democracy, total freedom and first class citizenship in all parts of the United States, North and South, by 1963.

In a forthright address on the report of the National Committee on Segregation in Washington, a study which he helped to prepare. Dr. Frazier expressed impatience with those of both races who preach "education" and "time" as the factors required to solve the racial problem. He declared that those who say that "education" of the attitudes of people must precede the elimination of the legalized institutions of jim crow know nothing about the science of social progress.

Race and Diplomacy

One result of race prejudice in the United States that is rarely discussed is the handicap it creates for American diplomats, who must do their work in a world where white men are members of a minority group. Whenever the existence of race prejudice in this country is emphasized by news of a lynching, or any other dramatic event, this handicap becomes more serious. Whenever the slow and steady improvement in the field of race relations in the United States is stressed by the rise to eminence of a Negro, as in the case of Dr. Ralph H. Bunche, United Nations mediator for Palestine, a little of the handicap is removed.

The subject is more important than it may appear to be on the surface. The statesmen with whom Americans must negotiate in Asia, where the problems of making and carrying out American policy are exceedingly complex, are well aware of racial tension in this country and, although they do not usually discuss their attitudes in public, now and then let it influence their thought. There is a similar situation in Latin America. Still another may come into being in Africa, which is growing in importance at present and may be an area of strong interest to the United States in the future.

There are stronger arguments against race prejudice, of course, than any connected with the troubles it causes in diplomacy. But these troubles give an additional reason for regarding race prejudice as a liability, which it undoubtedly is, and for striving to reduce it. The United States needs the friendship of men of many races in other countries and can seek this friendship with good grace only if it has satisfactory racial relations at home.

NEGROES

See also Education—Negro

Interracial Fellowship Church in San Francisco; Negro, white co-pastors 26 Jl 41

Office nurse founds Good Samaritan Hospital for Negroes in San Antonio; Corinth Baptist Church gives funds, Pastor Hardeman, p. 26 Jl 60

Brigadier General Ben Davis retires; first Negro commissioned from ranks; complimented by Truman, son a Lieut. Colonel, p. 2 Ag 14

KKK Grand Dragon Green predicts bloody riots if civil rights for Negroes enforced in South 2 Ag 15

Cliff Campbell director Dunbar Trade School built up school's standard 9 Ag 48

Ray Sprigle Pittsburgh *Post-Gazette* reporter "passes" as Negro to study Jim Crow conditions in South 16 Ag 49

Texas court rules white student can't attend Negro college; "equal" facilities issue 16 Ag 56

Vote freely in South Carolina Democratic primary first time on order Judge Waring, p. 23 Ag 17

Hodding Carter rebuts Ray Sprigle's studies Jim Crow conditions, defends segregation; Northern Negro's report 6 S 53

Alice Coachman Olympic champion honored on return to home state Georgia 13 S 26

K.K.K. attempts to prevent voting in Georgia; coffin on Negro's doorstep 20 S 26

Ralph Bunche appointed U.N. mediator in Palestine to succeed Count Bernadotte 27 S 30

Segregation major issue in Dixiecrats' revolt; Thurmond's anti-civil rights platform discrimination in North 11 O 24

California Supreme Court nullifies ban on interracial marriages 11 O 27

U. of Arkansas removes segregation railing around law student's chair 11 O 27

Oklahoma law banning from state university graduate school "unconstitutional" 11 O 81

Ebony urges Negro voters use judgment, vote for any one except Thurmond 18 O 26

Readers' comments on Thurmond story, Negro question (L) 1 N 6

Camilla Williams, Lawrence Winters sing *Aida* at New York City Center Opera, p. 8 N 82

Negro Attorney Martin's fight to equalize Negro and white schools in King George County, Va.; to get new Negro school 22 N 86

Tom Gibbs, Negro pledge of Amherst's Psi Kappa Psi; chapter suspended by national fraternity 22 N 87

Hazel Scott walks out on Austin, Tex. concert before segregated audience 29 N 45

Harlem slums depicted by Merton in *The Seven Storey Mountain* 29 N 81

Toombs Co., Ga. salesman Robert Mallard killed in car; wife accuses KKK; press reports result arrest of wife, p. 6 D 23

Levi Jackson elected Yale's football captain; Frank Jones elected Harvard student football manager, p. 6 D 66

Uncle Row Adam, 113-year-old former slave dies in Texas; funeral, p. 13 D 29

Wetumpka, Ala. white jury finds two white men guilty rape of Negro woman, fixes penalty 45 years in prison 13 D 27

Nativity drama by small Negro children of St. Benedict's Day Nursery, p. 20 D 81

Christians in Liberia send $22.25 to Chicago Negro Episcopal congregations 20 D 81

Mrs. Odessa Booker charged white man with attempted rape; white jury finds him guilty 20 D 23

David Knight convicted of miscegenation in Mississippi; Negro ancestry traced by relative irked by family feud, p. 27 D 18

South Africa

Nationalist government moves to disfranchise 25 O 33

Malan's racial segregation policy fought by Communists 6 D 32

A Discredited Philosophy

Atlanta Daily World Atlanta, Ga.

The President of Tulane University, Dr. Rufus C. Harris, answering questions concerning a mixed meeting of white and Negro students in New Orleans recently, had much to say on the question of race.

"I believe that such affairs (social party) set back greatly the solution of racial problems, he points out. "We should not hesitate to recognize and encourage and assist those individuals (Negroes) endeavoring to lead all Americans along the slow path of hard work, educational advancement, and moral improvement which are the only roads of progress for any race."

Sun. 6-12-49

"I disagree," he continued, "with the theoretical idealism of many persons who feel democracy can be achieved only by imposing laws which would level the masses. To ignore the facts of history and realities of the present will not contribute constructively to the solution of difficult problems of human relationships."

6-12-49

Precisely what this president is trying to say, we do not exactly see. We think he wants it known that he believes in the inherent inferiority of the Negro; that no matter how the Negro may be thrown into contact with whites, either in schools, offices or in social occasions, the plain facts of history prove that they are of a lower creation.

Perhaps it is not fair to the president to give this conclusion. But there is the strongest implication that he believes this. But the president is wrong in fact, wrong in outlook and wrong in spirit. Everywhere today, even in the Deep South, people are more and more coming to the belief that mutual understanding is the basis for the great progress made between the races in the past two decades. It lies at the bottom of the progress made between Nation and Nation. The president is, we think, entirely too fearful of the "difficult problems of human relations." As a college president, such problems should constitute a challenge to educational engineers.

General Dwight Eisenhowser, addressing his first graduating class as president of Columbia University, takes a delightfully different viewpoint. He said: "This graduation is witnessing a new social and political philosophy upon the concept of equality of right among men regardless of accident of birth."

6-12-49

The new philosophy sweeping the world, Eisenhowser declared, "carries with it a determination to reject utterly any political theory that gives one man, or a group of men, an inherent right to dominate others."

"If a small per cent of the widespread effort to rob the Negro of his constitutional rights were devoted to protecting him in life, liberty, justice, equality of opportunity and the pursuit of happiness-eternally the rights of all men-our United States would be a happier place for all of us. White people cannot injure our colored citizens without injuring themselves more.

"Social equality stands apart. It cannot be legally regulated under a Republican form of government. It has nothing to do with the Negro's Constitutional rights. It is the red ring drawn across the field by Negro haters to confuse the issue.

"The South is largely indebted for its economic progress to the back-breaking toil of the Negro since the decree of Appomattox struck the shackles from his limbs. The progress of colored Americans, under frightful handicaps, since the War between the States, has no parallel in history.

"The achievements of George Washington Carver, Booker T. Washington, Leonard F. Morse and countless other Negro leaders, belong to the ages! Their fame is imperishable upon the rolls of great Americans and should be cherished as a national heritage.

Thurs. 4-14-49

"The late Henry Grady, editor and statesman, wrote sublime truths across the bosom of the stars. which I would letter across the heart of every American. Said Mr. Grady, sixty-odd years ago:

"'We remember with what fidelity, for four years, he (the Negro) guarded our defenseless women and children, when husbands and fathers were fighting against his freedom. To his eternal credit be it said that whenever he struck a blow for his own liberty he fought in open battle, and when at last he raised his black and humble hands that the shackles might be struck off, those hands were innocent of wrong against his helpless charges. Let us give him his uttermost rights and measure out justice to him in the fullness the strong should always give to the weak. Whatever we take from him in violence, that is unworthy and shall not endure. What we steal from him in fraud, that is worse. But what we win from him in sympathy and affection, that is precious, and shall endure, and out of it shall come peace.'"

Mrs. Longstreet Denounces Outbreak Of U. S. Racism

Daily World Atlanta, Ga. Thur. 4-14-49

MACON, Ga.—(G)—Mrs. Helen Dortch Longstreet, daughter of a Confederate general, widow of one of the most famous Confederate generals struck another blow for the cause of the Negro recently when she wrote a scathing denunciation of the new outbreaks now being perpetuated against the Negro which was carried in the MACON TELEGRAPH. She writes:

"The outbreak in our United States against the Negro disgraces the name American. It is a strange and cruel aftermath of a war for freedom, in which black men fought as bravely and died as gallantly as white men, to give rights to peoples of other lands denied them in their own country.

CAYTON

Courier

Author 'Explains' Why Church Can't Deal Effectively With Race Problem

By HORACE CAYTON

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier. — The Editors.)

RELIGION is slightly out of my line. It is not that I am against it, but every time I find myself in church my minister and I exchange startled glances. I don't know which of us is the most surprised. But I do enjoy the services. I sing loud and off tune. What my pastor says is always intelligent and sometimes interesting. I should go to church more often, but I usually end up at a B-class movie.

Mr. Cayton

Recently, however, I had a little religious book dropped in my lap which I have not been able to completely dismiss. In fact I stayed home from the movies to read it. The book is Howard Thurman's **"Jesus and the Disinherited."** In this slim volume of 112 pages Author Thurman attempts to explain the reasons for the failure of the Christian Church to deal with race prejudice.

Sat. 6-18-49

IN HIS PREFACE he raises the question: "Why is it that Christianity seems impotent to deal radically and therefore effectively, with the issues of discrimination and injustice on the basis of race, religion and national origin?" That was the $64 question which made me want to finish the book.

For some time I have had the sneaking suspicion that while professing the "Brotherhood of Man" many churches and churchmen were actually doing all they could to keep things just as they were, at least as far as racial prejudice was concerned. To read such a statement from Preacher Thurman confirmed some of my suspicions, especially in view of the fact that he had been the co-pastor of the Church for the Fellowship of All Peoples in San Francisco.

I wasn't so interested in Thurman's theology as I was intrigued by his psychological explanation of prejudice. He used four general ideas to explain man's injustice to man: Fear, deception, hate and love.

Some time ago I played around with some of these ideas and was anxious to see how a religiously oriented person would employ them. The author's thesis ran something like this.

* * *

DECEPTION IS BOTH a tool and a weapon. A tool to avoid danger on the part of the weak and a weapon to avoid responsibility for the evil that they do on the part of the oppressors. Hate arises out of the helplessness of the weak and the necessity to exert brutal control on the part of the strong. Both deception and fear can overcome love and the teachings of Christ.

In psychological terms I have stated much the same thing. The dominant group, I believe, is motivated by a guilt-hate-fear complex. Guilt because the dominant group knows that their treatment of Jews, Negroes and other minority groups is in sharp contrast to the democratic beliefs that they express. But having this guilt, and incidentally, making plenty of money out of it, they are unwilling to give it up. I mix a little Karl Marx in with my social philosophy. So there is the necessity to rationalize or make excuses for their own exploitive, cruel behavior. So guilt leads to deception and the justification of cruelty.

6-18-49

FINALLY, ACCORDING TO my way of thinking, there is fear. Every man knows that he would resent being treated inhumanly. Every man knows that deep down the guy who is kicked around resents it, too. The fear is that of retribution. That is why Southerners are so anxious to tell the world that their Negroes really love them even if they are underpaid, abused and insulted.

Where I don't see quite eye to eye with Thurman is that love is going to cure the situation. As long as people make money out of race prejudice, get sadistic satisfaction from hurting other people and can feel a little bit superior to some other group I don't think the teachings of Christ or the organized Christian Church will prevent our people from making scapegoats of Jews and Negroes. This type of prejudice to me is a mental illness brought on by our own immaturity and our intensive economic competition. There is little percentage in turning the other cheek under present condition.

Citizens Of Tomorrow Speak

One-Fourth Of U. S. Youth Think Race Prejudice Inherited

BY H. H. REMMERS AND ASSOCIATES

HOW DO PEOPLE get their prejudices? Are they inherited at birth or are they learned from parents and associates?

Scientists say that race prejudice, for example, is definitely an attitude that is taught to children in the same way they are taught good citizenship or music appreciation. Scientists do not believe that we inherit prejudice in the same way that we inherit the color of our eyes or hair.

YET ONE FOURTH of America's high school students believe that race prejudice is present at the time of birth. Another 25 per cent aren't sure whether it is or not. The results are from the Purdue Opinion Panel. More than 10,000 high school students from coast to coast were questioned to learn what they think about the origin of this problem.

Here is the question that students were asked:

Is or is not race prejudice inborn?

It is inborn	26%
It is not inborn	49
Undecided	25

THE PURDUE PANEL has been asking this question of high school students since 1944. The results, over the past five years, indicate that little progress is being made in teaching young people the facts about race differences. Here is a summary of how Northern high

school students replied to this question in previous years.

	Is	Is Not	Undecided
1944	29%	41%	30%
1945	27	51	22
1946	26	42	32

These results should convince educators that our schools are not doing an effective job in clearing up misunderstanding about race and the nature of prejudice.

An indication of how much influence schools have in shaking attitudes toward race prejudice may be deduced from examining the results according to grade level. We find nearly as many students in the 12th grade believe that race prejudice is inborn as do students in the ninth grade.

However, the number of students who know that race prejudice is not inborn increases steadily from the ninth through the 12th grade. Uncertainty decreases proportionately.

When opinions from various sections of the country are compared, we find that the Midwest has a slightly higher proportion of young people who have misconceptions about the origin of race prejudice. Youngsters in the Mountain Pacific states appear to be a bit better informed on this matter than students living elsewhere.

	Is	Is not	Undecided
East	27%	47%	26%
Midwest	30	48	22
South	24	49	27
Mt. Pacific	24	54	22

One might expect students from minority religious groups to have a clearer understanding of the origin of prejudice than those from more dominant religions. However, this is not the case. Students from Protestant, Catholic and Jewish homes give virtually identical answers to the question.

* * *

ONE BIG DIFFERENCE is found in the higher and lower income groups. About the same proportion of each holds the view that we inherit race prejudice. But more than half of the students from wealthier homes answer that prejudice is not born, while only 43 per cent of those from lower income homes give this answer. The latter group is much more undecided.

	Is	Is Not	?
Low Income	27%	43%	30%
High Income	26	54	20

This difference would seem to indicate that something is present in the background of the wealthier children that is not present among those who are less well-off.

It might be attributed to the educational level of the parents, the books and magazines that are found in the home, or the kind of school each group attends.

Copyright 1949 Chicago Sun and Times Co.

Pursuit of Democracy

It's Time to Search For the Lesson in the Swimming Pool Incident

By MARJORIE McKENZIE

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier—The Editors.)

NOW that the swimming pool incidents across the country have subsided, all of them ignominiously, it is time for us to search far the sociological lesson in these experiences.

Since all of the localities involved have been middle-western or border areas, uniform failure to crack segregation patterns should suggest that flaws in our leadership and strategy may be a root cause.

M. McKenzie

First, we should note that classical elements of a race riot, which we came to recognize during the recent war, were in the air. Indeed, had we been smart about checking the racial barometer, we could have predicted racial trouble this unusually hot and dry summer. Heat is a definite factor in rioting.

PEOPLE DON'T FORM hysterical packs and track down victims in the snow and rain. Too many elbows, pushing against each other competitively for limited recreational oases in steaming cities, can stir up trouble. Not that heat alone or overcrowding and scarcity will build a riot unless there is also an existing aura of tension.

A riot occurs when Negroes ignore or openly attack a racial taboo. Once provoked, the participation of whites becomes, as in lynching, an extra-legal method of social control. When, then, do Negroes take such bold steps? It appears that they are willing to do so at either end of the swing of the pendulum of Negro progress.

They are bold and fearless when they are economically secure as they were in the fulsomeness of their war-time employment. They are bold and fearless when they are in despair over their losses and count one risk no greater than the other. Remember that Negroes are currently at their lowest ebb in the post-war unemployment plunge. Remember, too, that the lag in civil rights legislation is morale-shattering.

* * *

RIOTS MAY BE aborted and their purpose frustrated by the right kind of official action. This too, we learned during the war. The swimming pool incidents have been stopped, but their purpose has succeeded because they have been attended by the wrong kind of official action.

In a way, what has happened in St. Louis and Washington this summer is more significant than the events in Detroit and the other rioting of 1943. We are supposed to have learned how to deal with racial upheaval, and, more importantly, we are supposed to have learned to want to deal with in the right way.

Our greatest cause for discouragement is that all the incidents were bungled so badly by officials of government. No one should be surprised that a breakdown of segregation in swimming pools would cause trouble. The taboo in this area is of the same intensity as that surrounding eating. We cannot always tell where Negro pressure will erupt.

* * *

WHEN NEGROES ARE as uniformly contained by a pattern of segregation as they are in St. Louis and Washington, yet without the controls of the deep South, the only thing we can be sure of is an eventual eruption somewhere.

Washington is in a ferment, nonetheless real because it was whipped up outside. As Dr. Charles S. Johnson, president of Fisk University, said recently at the close of an interracial institute at Fisk, "Washington is the chief place where we may see early and dramatic change."

The inconclusive and vacillating behavior of Secretary of the Interior Krug in dealing with the local six-member recreation board, where prejudice rules 4 to 2 in every vote, is one key to our failure so far in Washington this summer.

* * *

THE OTHER KEY is the poor timing and inattentiveness of our leadership, both in anticipating the problem and in dealing with it after it had erupted.

We should know by now that Washington's racial problems are not local and cannot be left to a local leadership which has no political power. An incident at the pool in Anacostia, D. C., is a matter involving high strategy and action by the national board of every organization in the country which is concerned with racial democracy.

American Bias Stymies ECA

Fear Grips French; 'Reds' Attacks Hurt

By OLLIE STEWART

PARIS — American prejudice has robbed the Marshall Plan and ECA (Economic Co-operation Administration) of fifty per cent of the hoped-for effectiveness.

This is bluntly put, but true.

It is true because the millions of little people in Europe do not trust Uncle Sam, despite the lavish way in which he hands out his millions.

They refuse to believe there is no ulterior motive behind it all.

Bold Talk, Poor Action

They do believe, however, that America preaches more democracy than it practices.

In France, Holland, Italy, and even in Germany, it has been pointed out to me that, if America lived up to what is heard on the radio and read in newspapers and press releases, there would not be racial bars and persecution of minorities in the U.S.A.

Unemployment Feared

Some newspapers (widely read) in France have said that the Marshall Plan will result in widespread unemployment in this country — leading to breadlines for millions of French workers, and treatment by Americans similar to that accorded colored Americans in the South.

Marshall Plan officials call such reports Communist propaganda, but they don't make a convincing case.

Calls Us Selfish

Millions of workers in Europe still see in the Marshall Plan a selfish move for the economic enslavement of themselves and their children.

They saw the American Army operate on the basis of race and color in the recent war, and they feel that they have real reason to be alarmed because of the many racial strains in their midst.

'Reds' Lead Attack

The Russian radio (heard in France every night) and the Russian papers (sold on the streets every day) take the lead in embarrassing the ECA mission which has headquarters here in Paris.

Segregation and discrimination charges are thrown at every ECA official who makes a speech.

A good case was made recently when a rich American offered a Mississippi school $50,000,000 if it would teach white supremacy. This story made all the papers here.

It was pointed to as an example of how prejudiced American capitalists can be—and how ruthless.

Personnel Censured

No one at ECA headquarters here will admit it, but the expected arrival in the near future of a colored newsmen to work for ECA is seen as a propaganda stunt to prove that all racial groups in America are hired on an equal basis.

But the truth of the matter is. whites at ECA will outnumber this reporter 200 to 1.

Barry Bingham, chief of the ECA special mission to France, recently admitted there was "still room for improvement" in the methods to be used to get the aid story over to the French people.

ECA Aids 2 Million

"Actually," he said, "about 2,000,000 French workers are dependent on the Marshall Plan for their jobs—but this fact does not prevent the Communist propaganda from hitting its mark."

To help sell the aid program, Bingham said future projects would include six documentary films and three feature films, in addition to pamphlets, magazines, exhibitions and news releases.

But he said nothing in his talk before the Anglo-American Press Club that would seem to gain more respect for America from European peoples — and neither did Paul Hoffman, ECA administrator, in a speech a few days later.

Conscience Unchanged

Neither of these two men, with outstretched hands containing millions of dollars, indicated that the national conscience of America has changed in the least where its minorities are concerned.

Nothing in their announced future plans gives the working classes of Europe a new reason to trust the U.S.A.

And until this happens, as a white American student said to me the other day, neither the Marshall Plan nor any other plan will work as it should.

PASTOR DENIES GOD IS RACE-CONSCIOUS

The Post Tribune Newport, N.J.

Belief the Only Requirement, Dr. Powell Says, Attacking 'Prejudice in High Places'

Mon. 5-30-49

The Rev. Dr. Adam Clayton Powell Jr., pastor of the Abyssinian Baptist Church, 132 West 138th Street, declared in his sermon yesterday morning that God's "availability" was not restricted to any person because of race or nationality.

Mon. 5-30-49

"To enjoy the love of God one needs only faith," he said. "Jesus' love is limited to those who believe in Him. Those who serve the God of clothes, of position, of profit, or even the God of education serve not Jesus."

Dr. Powell said he thought God was impatient with "the holier than thou" attitude or those who expected God to reward them "like an insurance policy." God is spirit, he said, and must be approached spiritually.

Yesterday was "Youth Day" at the Abyssinian Church. Dr. Powell, Representative in Congress from the Twenty-Second district, told the young people in his congregation about the status of racial discrimination in this country, as seen from his position as chairman of a House subcommittee that has been conducting hearings on the Administration's Fair Employment Practices Bill.

Rail Brotherhood Denounced

Granting that some progress had been made toward erasing racial discrimination in jobs, Dr. Powell said we had "far to go." He denounced what he called "the sin of racial prejudice in high places," citing particularly the railroad brotherhoods, which, he said, had "by law" excluded Negroes and Jews from membership since 1806.

Mon. 5-30-49

The service was conducted by three youthful members of the church. Samuel Hines presided and Vivian Lennon gave the invocation and read the scripture. Ronald Newsome conducted the responsive reading.

In a second service at noon the Rev. David N. Licorish, assistant pastor at the church, preached. He was assisted by Ethel Davis, Albert Wilson and Theresa Wise.

THAT RACIAL MYTH AGAIN

Opinion

Dr. Edward N. Saveth, writing in the May issue of Commentary, reports that he has found in a number of American history textbooks for elementary and secondary school use, a tendency to disparage certain immigrant groups.

Baltimore, Md.

He reports references to immigrants of South and Southeastern European descent as "unassimiable, unpleasant and sometimes even racially inferior."

Sat. 6-18-49

Such attitudes toward colored Americans have been reported time and again. Marie E. Carpenter, in her study of "The Treatment of the Negro in American History School Textbooks (1941)," reported attitudes toward colored Americans in books for Northern children not markedly different from those Dr. L. D. Reddick (1934) found in Southern textbooks.

Dr. Saveth should not be surprised at finding such attitudes of "Nordic supremacy." Such mis-education has been going on for a long, long time and will continue as long as prejudice is considered an exclusive American luxury.

Racial and religious prejudice represent the last remaining characteristic that distinguishes America from other nations. Fortunately, however, there are other authors, whose books, though not as widely circulated, are hammering away at the thesis that all races are inherently the same.

As their audience increases and children, by association, learn that there really are no racial differences, the old school of thought will eventually perish. The handwriting is already on the wall.

FINDS PREJUDICES ARE CARRIED ABROAD

The World Memphis Tenn.

Fri. 7-22-49

By WILLIAM O'SHIELDS

PARIS, France— (ANP)— There was a time and it hasn't been long ago, when an American Negro could board a trans-Atlantic steamer bound for Europe, and know without a doubt, he was leaving that hideous American prejudice behind him.

It isn't that way any more. One not only finds "James Crow," the prejudice-spreader, residing on the ships he is boarding, but he soon learns, before he is many knots at sea, that there are many prejudicemongers sailing with him as fellow passengers.

The second steward on the ship of whcih I was a passenger, changed my dining room seating three times. At first, I thought my shifting was coincidental, but on the proposed fourth move I became suspicious and refused to take another seat without a satisfactory explanation. As you already surmise, he did not have a plausible reason.

Fri. 7-22-49

CHANGES "ATMOSPHERE"

After Sherlocking-around a bit, I learned from the English lady, who was seated next to me in the dining room, that the steward had braggingly said he was going to "change the atmosphere" at the table before the next meal started. The British lady let me know in no uncertain terms, she would not have any part in his scheme.

Fri. 7-22-49

To make a long story short, I did not change my seating the fourth time, and I was assured by the union chairman of that crew, and others that the incident would be be satisfactorily settled when the returned to home port. I might say even those assurances did not help by appetite for their remaining part of the journey.

To pour oil on the fire, I went to the recreation room to participate in a general boat-sing. The program was thrown open to audience selection. One loud southerner yelled "Let's sing Dixie." He had no sooner made his choice before the piano started to play "Dixie." Some 25 or 30 people, in true Dixie style stood and sang their :"rebel anthem." The next choice was "Old Black Joe," the next "My Old Kentucky Home," and as I went up the stairs to the upper deck, I could faintly hear them singing the words to the song entitled "Snowball."

Personally, I am not so concerned about finding a better steamship line, but I am disturbed about the improper home orientation of these traveling Americans who will represent the 140 million Yanks in the various European countries this summer. They are neutralizing the Marshall plan.

Europeans know our American problems as well as we do. In some of these European countries, they know it better than the average American. The competing "isms' have seen to that. So, my advice to those who will visit Europe in the future is, save your rationalizing answers for someone who might be more gullible than these people and practice true Democracy all the time. Because sooner or later every traveling American will be asked to justify his position on the race question in the United States.

"Somethin' Talkin'"

THE ST. LOUIS and Washington riots, as well as the violence of the Klan in the South make us know that there is a vast multitude of white people who are not being touched by our books, articles and projects in human relations.

Race Relations

We are moving rapidly, things are changing every day but greater masses of our people are not prepared for these changes. It is inevitable that we shall have more and more violence unless the radios, newspapers and pulpits of our country put on a mass effort to prepare the people's minds for these changes.

The Defender, Chicago, Ill. Sat.

If you want to change a man's mind and heart you must work directly on him. To change the beliefs of 80 million is now the job before us. And this can be done quickly only by the use of mass media: radio, newspapers, pulpit, movies. Schools, the social and church organizations, the theater, public libraries, magazines are our second line of mass media. But it is primarily through radio, newspapers and pulpit that quick change of people's feelings about race can be brought about.

7-9-49

For thirty years, that 15 per cent which we might call the leadership of our country had to learn their lessons in human relations the hard way. A slow dripping of facts, facts, facts fed them by the social scientists, anthropologists and psychoanalysts and by a few good propagandists in the Negro race, and by a few novels and a few plays and a few articles and a few hard jolts given us all by history.

Sat. 7-9-49

But these lessons which the leadership of the country learned the slow way can be given our people quickly if preachers and columnists and movie magnates and radio commentators would concentrate on what I believe to be one of the most urgent jobs in the world today.

We have got to get to the side streets and alleys in the cities and to the tobacco roads in the country with our lessons in human rights and our belief in human dignity. We have got to reach the cross-roads stores and filling stations. Wherever the demagogue has gone before us, now we must go.

Last week, Rich's, the largest department store in Atlanta, ran a full page ad in the **Constitution**, with two charming pictures of young Negro graduates in caps and gowns. That ad went into 187,000 homes and was looked at by at least ¼ of all Georgia's people, many of whom had never before "seen" a Negro college graduate. That is one way it can be done. That was a "first step" for Georgia, in mass breaking of stereotypes and a good one.

JIM CROW IN COURT

Six years after it clearly ruled that the Brotherhood of Locomotive Firemen—an all-white union—and the railroad industry could not write Jim Crow contracts, the Supreme Court is still being obliged to spend entirely too much time listening to arguments on the subject.

New Republic
2806

In the latest hearings the Court was required to pass on the technicality of whether the US Court for the District of Columbia has the authority to enjoin the Brotherhood from practising racial discrimination. Supporting the claim of 21 Negro firemen, the Supreme Court held that such an injunction is proper.

11-21-49

The plaintiffs said that the Brotherhood and three Southern railroads had negotiated agreements in which Negro firemen were classified as "not promotable." The effect of the agreements, it was asserted, was that Negroes were displaced by white firemen with less seniority. Patiently Justice Jackson explained that the Court's rulings of six years ago in the Steele and Tunstall discrimination cases meant what they said, that labor unions could not bargain away the rights of racial groups. The Court ordered the immediate reinstatement of the original injunction obtained by the 21 Negroes against the Brotherhood and the Southern, Seaboard and Atlantic Coast Lines.

Other Jim Crow cases before the Court are:

¶ A petition for an order compelling the University of Oklahoma to provide truly equal facilities to Negro law student G. W. McLaurin, who now learns his lessons by listening in from a room outside the white boys' classroom.

New Republic.

¶ A petition by Heman Marion Sweatt, another Negro law student, asking similar action at the University of Texas law school, which mocks the spirit of the Constitution by keeping Sweatt out of the white classrooms and instructing him in a private three-room school in the basement.

11-21-49

Our Opinions

American Dilemma — 1949 Style

The wry little gods of "things as they are" must roar with laughter as they look down on the troubled scene where white America muddles and bungles in its wrestle with its dilemma. Beneath its spotless robe (and peaked hood with eye-holes cut out?) the white hope of the democratic world seethes and struggles with inner turmoil. With the cloven hoof of the old Adam it kicks aside the hem of the garment now and then to give a fleeting glimpse of the ravages of the decay and disease which infest its body politic.

In Alabama the finest flower of southern chivalry upholds white supremacy by indiscriminately bombing and burning out Negro ministers, dragging defenseless white women along the dusty back roads by the hair, and clubbing and flogging its aged, its crippled and its war veterans whom it welcomed home a few short years ago as heroes.

In Illinois, proud as the home of Lincoln, a pompous legislature gives the kiss of death to an FEPC law designed to safeguard its human minorities, then proudly passes a law to protect its dogs.

In Washington, the greatest free parliament in the world totters on dead center of inaction, and finds expression in the vulgar profanity of Mississippi's Senator Eastland when openly charged with his secret vice of Negro-phobia, and in the courageous fist attack by Georgia's 60-year-old Cox on Illinois' 80-year-old Sabath, whose weak heart is well known to all his colleagues.

In Georgia a drawling governor with a forelock snarls at a group of Negroes who ask representation in his government, "it ain't time yet," while his hand-picked legislature, whose own bare feet are still stained with red clay, vote leaner rations for the aged and less schooling for the children of their own kind as well as for Negroes to save their local tycoons of textiles, steel and Coca-Cola from the burden of additional taxes.

An un-pretty scene, my masters! And Booker T. Doakes looks on it with troubled eyes, as he soundlessly hums a bar of the song, "This is America to me."

We'd Like More Open-Minded Visitors

Before the youthful editors of the Next Voter, a semimonthly publication which has created wide attention in adult political circles, left prep school at North Andover, Mass., to see for themselves, they were told that conditions in the South were, in their own words, "unbelievable."

Southerners treated Negroes worse than slaves, they were informed. No civilized country could tolerate such goings-on as were taking place in the benighted South.

The students, who, Constitution reporters say, are not as naive as their years would suggest, decided they must, at the expense of their own vacation plans, take a look at the South. They made the trip in a decrepit automobile, just as thousands of other touring students do every Summer.

Having reached the ultimate scene of iniquity—Georgia—as described by their informers in the North, the youthful Northeners were disappointed that none of the lurid tales of Southern oppression of Negroes, racial tension and ill feeling could be substantiated.

The youngsters have been hardboiled enough in their search not to allow themselves to be "shown around." They have done their own looking. And as yet they have "not come across one single situation or one single problem which the respective people are not trying to solve themselves and are not solving themselves."

We, and all Southerners, readily agree that we in the South have tough problems. But it is heartening to hear outsiders, Yankees, if you will, say that ". . . it seems to us the people of the South are not only much more realistically aware of them than the Northern politicians and idealists, but they have achieved by work and good will infinitely more than some of their attackers will ever achieve by words and the spreading of national disunity."

We wish more of the South's critics would come down for an open-minded look.

To Strengthen Democracy

We Must Abolish Discrimination and Segregation, Writer Says

TO THE EDITOR OF THE NEW YORK TIMES:

I want to commend your editorial on the wise testimony of Jackie Robinson before a Congressional committee concerning Paul Robeson's statement on behalf of all Negroes that they would not fight in a war against Russia.

I suggest that much of the furor aroused by Robeson's statement, which is not very different from what white Communists have been saying from time to time, is due to the bad conscience among white Americans over the treatment of Negroes. American democracy is only a very partial democracy to Negroes because of enforced segregation and discrimination against them in job opportunities, treatment by juries of whites who assault Negroes, educational opportunities, and opportunities to get homes in decent areas.

It is reasonable to suppose that support of American democracy against the totalitarian dictatorship and aggression of Russia and her satellites would have far less emotional appeal to Negroes than to most white citizens. Yet Negroes proved loyal in the last World War, and since then have made substantial gains toward truly equal rights, including the abolition of segregation in the Navy and Air Force, and an order from Secretary of Defense Johnson to the Army to do the same thing.

Guarantee Equal Rights

Clearly there is no reason to suppose that Negroes would be less loyal now than in the war against the Nazi totalitarian dictatorship. But it is equally clear that the way to insure loyalty to the Government of a democracy is for that Government to guarantee truly equal rights to all its citizens.

This our Government does not yet do, as the refusal of Ralph Bunche to take the highest job ever offered to a Negro in the State Department because of the segregation to which he and his family would be subjected in Washington clearly shows. Such discrimination in Washington and elsewhere is widely known abroad, and seriously weakens our influence in the public opinion of foreign nations and the influence of our diplomats as representatives of the supposed leader of world democratic forces.

The struggle against segregation and discrimination carried on by such organizations as the National Association for the Advancement of Colored People is, therefore, a struggle to make America stronger both at home and in our diplomatic contests with totalitarian dictatorships abroad.

ALFRED BAKER LEWIS.

New York, July 27, 1949.

NEGROES EXCLUDED FROM BRIDGE PLAY

Referendum Vote of League Is Against Their Admission to Membership, Tournaments

Bridge players from the South, with heavy aid from the West and Midwest, seemed yesterday to have excluded Negroes from membership in the American Contract Bridge League and from tournaments under its sponsorship.

Many members of the league here and in other metropolitan sections where the vote went heavily in favor of admitting Negroes, were inclined to challenge the results of a referendum among the league's 28,000 members announced yesterday. But national and local officials admitted that the vote would be controlling on the meeting of national directors to be held in Philadelphia in December.

Under the league's organization the directors have final power. They are reported already in test votes to have balloted heavily for the exclusion of Negroes.

South	81.6
Mid-west	63.3
Far West	58.2
Total	58.5

The bridge players of New York, New Jersey and the New England states voted heavily for admission and Wisconsin, Minnesota and the State of Washington by smaller margins. But the final tabulation showed these results:

Yes	41.5
No	58.5
Northeast	34.0%

A statement of the league announcing the results, quoted Dr. Louis Mark of Columbus, Ohio, president of the league, as follows:

"The American Contract Bridge League is not a political organization but is primarily social in character. Social customs are based on public opinion and we do not seek to perpetuate or to destroy them. Our membership is mostly professional men and their wives, probably above the national average in education and not limited to any one group. There is no reason to believe they would vote either for admission or against it in other states and not in others. The result would appear to follow the national pattern."

Referendum Denounced

There seemed to be small likelihood that the Negro bride player would accept any such compromise. Last summer they voted to break off negotiations between their American Bridge Association and the English Bridge Union because of the refusal of the latter to admit Negroes to membership.

and the league and yesterday in Washington, Victor R. Daly, president of the Negro association, denounced the referendum.

"Analysis of the vote will show," he said, "that without the lopsided vote of certain sectional units the country as a whole was overwhelmingly in favor of the elimination of racial discrimination. In bringing this issue to a vote liberal forces within the organization have scored a significant victory, for they have brought that opposition out into the open for all the world to see.

"The majority that was mustered was surprisingly small and insignificant. I do not believe that the liberal element within the league will permit such a small majority to compel the league to stand with the few remaining forces of intolerance that still retard the march of American democracy. There are far too many outstanding men and women in the league to permit it to stigmatize itself permanently in the eyes of the world."

Bertram Lebhar Jr., president of the Greater New York Brigde Association, expressed himself as greatly disappointed in the result of the referendum. He refused, however, to commit himself at this time to any separate action and discounted the possibility that the New York branch, or any other, would separate themselves from the league on the Negro issue.

It was at first asserted that a majority of those voting in the referendum had favored participation by Negroes in master point tournaments on the national, regional, sectional and local levels while barring them from full membership in the league. Analysis of the vote by George W. Beynon of the league's headquarters here, however, showed that the tellers had estimated that only about 5 per cent more had voted for tournament admission than had voted for membership for Negroes and that the total was still some 5 per cent less than a majority.

Mrs. F. D. R. Chides South for Violence

ATLANTA— Mrs. Eleanor Roosevelt told a news conference here last Friday that President Truman's civil rights program is not "a logical excuse for racial violence."

"Some critics," Mrs. Roosevelt said, "who blame the Truman program in part for the South's recent racial terrorism, look at civil rights proposals from a local rather than a world-wide view."

She pointed out that at least once during every session of the UN Committee on Human Rights, of which she is chairman, she had to answer Russian criticism of racial discrimination in the United States."

North Scored, Too

Mrs. Roosevelt held the news conference after she arrived to participate in a symposium of 150 Southern churchwomen on "The Spiritual Approach to Social Problems," sponsored by the Southern Regional Council.

She admitted frankly that the North is "quite as bad" in its racial discrimination as the South, and termed the recent riot after Paul Robeson's concert in Peekskill, N.Y., "perfectly outrageous."

"For Whites Only"

A Negro, I am irritated by the consistently specious quality of our local advertising. "By all means try the cold seafood platter," we are encouraged by a voice which describes a given restaurant via a local radio station. The arbitrary but never expressed addendum, "If you are white" has yet to be uttered by the charming voice.

"Apply for a charge account by mail" beseeches the department store business office—but never with the reservation, "If you are a Negro your chances are slim, good credit rating or not." "Drive in" gaily solicits the outdoor theater, the pleasant-looking tavern, the one amusement park with the merry-go-round. And again, the silent censor, "If you are white."

Recently on a local radio program a representative of the American Red Cross Gray Ladies auxiliary organization gave an intelligent explanation of the group's work. At the end of the program the speaker indicated that a woman who wished to qualify for service should be between the ages of 21 and 55, and would be expected to take and pass a training course as prescribed by the organization. There was no reference to color qualifications. Yet, just a few months ago a distinguished Negro woman, wife of an Army officer and mother of a brilliant son engaged as research worker and college professor, was denied membership in the Gray Ladies Auxiliary.

We should insist that all advertising and soliciting agents and agencies should proclaim flatly, "This is for whites only."

MARGARET JUST BUTCHER.
Washington.

Dabney Charts Course Of Restraint For South

Birmingham News

Famed Editor Cautions Against Following Line That Will Bar Progress

Birmingham Age-Herald

Sat 3-26-49

One of the South's great editors, tall and quiet-spoken, called on fellow Southerners Friday night for "constructive, far-reaching solutions of our own" racial, political and economic problems.

He was Virginius Dabney, of The Richmond Times-Dispatch. His editorials in 1948 were judged the best in the nation by the Pulitzer Prize Committee.

* * *

IT WAS A PROGRAM devoid of bitterness and extremes of sectional feeling which Editor Dabney outlined to Alabama educators at the closing A. E. A. session Friday night.

"We can't be against everything and for nothing," he said.

Of the States' Rights issue, the Virginian said a famed citizen of his state, Thomas Jefferson, "would have a great deal of difficulty in recognizing some of the advocates of his states' rights doctrine today."

Dabney said the men who molded early American political thought did not look upon states' rights as "a refuge against new ideas."

He cautioned present-day advocates of the doctrine against turning it into "a road block to progress."

CHARTING A COURSE of moderation, Dabney added that he believes, on the other hand, that the federal government is going forward too fast and should be somewhat checked.

President Truman's program of civil rights is regarded by the Richmond editor as "ill-advised and harmful in various ways."

"I think it is fine that they defeated it," he said, "though I do wince a bit at the filibuster method."

Such laws as the Fair Employment Practices Act, Dabney said, would be "unenforceable."

"So what's the sense of passing them?" he asked. In New York, Pennsylvania and other states, similar laws "are broken every day," Dabney said.

HE WAS EQUALLY positive that the South must do more for its Negro citizens.

"They deserve more advantages," he said, "and should have them.

"It is far better that we make reasonable concessions ourselves than have them dragged out of us."

Sat-3-26-49

Dabney said the outflow of Negroes from the South to the North will smooth racial frictions.

On the one hand, there will be more even distribution of the Negro population. On the other, the North will have the problem itself and "come to understand our outlook better."

GEORGE Padmore Chicago Def.

American Race Problem Hit By British M. P.

Sat 4-16-49

LONDON—Ever since the last war when colored American troops stationed in the British Isles endeared themselves to the English people by their good behavior, there has been widespread sympathy for the 15,000,000 Negroes in the United States.

This interest in the struggles of the Afro-American peoples for full democratic rights and civil liberties has been high-lighted by the filibustering tactics of the Dixiecrat representatives in the U. S. Senate to sabotage President Truman's civil rights programme.

"Race hatred is the great jagged flaw which defaces American democracy," says Richard Crossman, Labourite member of Parliament who has recently flown to America to report to the people of this country on the treatment of Negroes in the South.

Writing from Atlanta, Ga., Mr. Crossman, who is the son of a British High Court judge and a professor at Oxford University, in a dispatch to the London Sunday Pictorial describes the treatment of the Negroes in the United States as "America's oldest problem."

"I had met it, of course, in northern industrial cities like Detroit. Tens of thousands of colored people from the South moved up there during the war, tempted by better wages in the war factories. The result was a dangerous increase of race tension and the formation of black ghettos as the Negroes moved into derelict white property. In Detroit they now form 28 per cent of the population.

"But there are two redeeming factors. First, the United Automobile Workers, headed by the Reuther brothers—outstanding statesmen in the American Labor movement—refuse to tolerate racial discrimination either in the union branch or in factory," asserts Mr. Crossman.

"I saw for myself, the union is the only place in America where there is genuine race co-operation." Crossman also credits Catholic bishops and priests with doing good work in the field of inter-racial relations. "The Catholic Church is throwing its enormous influence behind the trade unions' effort for race conciliation."

Condemning the Southern Senators for trying to torpedo the President's civil rights programme, the "Magna Carta" of the American Negro, the British M. P. says that "it looks as though Truman will soon have the choice either to surrender on the Negro issue or facing an indefinite delay on every other part of his programme."

Now this is of vital importance to the British people dependent as they are for American aid to help complete their own economic recovery plan, "since there is no rule limiting the time of

Chicago Def.

...eeche, ...asy. As ...s held u... with Eur... or the length of a debate in the Senate, a filibuster is a result all other legislation—including Marshall Aid—p." The struggle for Negro rights is therefore tied up ...can power-politics.

CLAKE BOOTH LUCE DECLARES NEGRO QUESTION MOST SERIOUS IN U. S.

North Nist Gazette

Sat 4-16-49

BAYONNE, N. J.—(ANP)—Mrs. Clare Boothe Luce, playwright and former Congresswoman, told a record audience of approximately 1,600 which packed the Vocational High School auditorium to hear her that the Negro question is the most serious facing the U. S. today.

"It is the most serious from every point of view, from the economic, political, moral, ethical, and spiritual points of view," she said.

Mrs. Luce, whose topic was "The Negro Is Our Brother", said at the beginning of her talk that she was impressed that such an audience had turned out to hear her speak about a subject which many persons do not want to discuss.

Mid.-3-23-49

Her address, sponsored under Catholic auspices by the St. Thomas More guild, was spiced with humor to relieve the deadly seriousness with which she treated her subject. It was enthusiastically received by the audience.

"In race relations," Mrs. Luce said, "there is every reason to hope in America. Despite all the gloom, little by little, every day in every way, the situation is getting better.....

"To an amazing extent we in the United States have done away with racial prejudice. We have made great strides, but the prejudice against the Negro is still the great blot on the American flag."

SOLVED ONLY BY CATHOLICS

The Negro question, the speaker said, can be solved only in terms of Christ, since that is the only solution that we as Americans would accept. The Communists, she pointed out, also have a solution, but theirs, as all their solutions to various problems, would begin in hate and violence.

"We know that racial prejudice is generally born of a feeling of economic fact and a lack of Christian beliefs. I find that all racial prejudice is in direct proportion to the intelectual and spiritual worth of an individual.

"I do not know one educated or spiritual man who is really preudiced. It has become a mark of an ignorant mentality to hear racial prejudice."

The speaker than proceeded to explore what she termed the myth of racial inferiority in individual Negroes by mentioning famed and respected Negroes who had achieved honor in various fields, ranging from the prize fight arena to the concert stage.

"The Negro," she added, "has been in one Buchenwald or another ever since he came to America in chains. If the Negroes are inferior as a group, it is in the same way that the prisoners at Buchenwald were inferior — because they had been so hard driven by their brothers.

"And it is sheer folly for us to keep the Negroes inferior. If you want to keep a man in the gutter, you have to sit there with him. The cost of our attitude to us has been staggering economically."

APPEALS TO CATHOLICS

Mrs. Luce appealed to Catholics to do their part to eliminate racial prejudice. Questions asked after lecture requested her opinion about inter-marriage among white people and Negroes. She answered that she considered it unlikely in most cases that members of the two races would care to marry because their interests would not be similar and because their chances for happiness in our

NEGRO PROBLEM MORE BAFFLING, THAN PALESTINE'S DECLARES UN MEDIATOR RALPH BUNCHE

Chicago Def.

Sat. 5-14-49

NEW YIRK, May 14—(Special)—While working in Palestine to bring about a peaceful between the Arabs and Jews, Dr. Ralph J. Bunche., acting United Nations mediator for Palestine, returning to this country, has not forgot, that there is just as grave a problem here at home, among the Negroes and

However, there is nothing wrong ...y would not be good. ...ith inter-marriage, she said.

The speaker was introduced by ...Ruth Edgar Brown, dean of ...Marie Reiter Frederick J. ...McTernan, Guild chairman, and ...Arthur Rackley, chairman of the ...

whites. as it was his experience to encounter in the Holy-Land

Dr. Bunche, the American Negro, whose role as mediato was the chief figure in terminating strife in the Holy Land spoke at a dinner given in his honor, last week, by the American Association for the United Nations, when he declared: "I believe you will agree with me that racial bigotry makes a mockery of both, the Constitution and the Charter," and declared the Negro problem t be much more baffling than the Palestine problem.

Nordic Leadership Challenged

The Black Dispatch Oklahoma City Okla.

By chance we happened to be at home last week when a Filipino salesman drove up into the yard attempting to sell his wares. When advised we had recently had dinner with two young men of his ethnic extraction attending school at Oklahoma City university, he immediately drifted away from commerce to color, and when advised he was talking to the editor of the Black Dispatch he proceeded to camp indefinitely and talk about the race question.

"I have read your paper," he said, "and you are absolutely right on this question of education. It is unseemly to me that anyone would attempt to prevent another human being from securing an education. It does not make sense."

The young man said he had been educated in the islands and this country, and had served in various menial tasks while improving his mind and acquiring knowledge.

"Over in Manila we hear of America, "the land of the free,' but this is no free land. You have democracy here only for the rich. I do not suppose I will ever again in life suffer from the terrible delusion I was laboring under when I came to this country looking for democracy and freedom," he continued.

"Take whiskey. I do not care anything about it myself, but I have seen the police arrest poor working men with a flask in their pocket and they were later fined, but at the same time I was working as a butler for the rich where they have bars in their homes, and private policemen in that section to see that no one interferes with their unlawful possessions.

"I recall several times when I have been driving as a chauffeur policemen have accosted me for minor infractions of the law, but when I told them I worked for Mr. So-and-So they immediately changed their demeanor and attitude, explained the law and requested I not commit the offense any more. It has been quite the reverse since I purchased this car and went into business for myself. My race is evidenced in my face and this second-hand car is prima facia evidence it belongs to no rich man, so you can imagine the ugly experiences I have had since its purchase.

"Why I left freedom in the Islands, where every man is accepted on a basis of his worth and not on a basis of color," declared this much aroused Filipino as he drove away. "I'll come back sometime and tell you more of my experience in this country, but you take it from me America offers democracy only to the rich."

We have elevated this conversation with a young Filipino to our columns in order that America can see how she is undermining her good-will all over the world with color snobbishness, and what this Asiatic has to say is quite likely an expression of the opinion of millions who live in China, Indonesia, Japan and ten thousand island atolls in the Pacific. Psychologists aver that a well balanced mind must have a certain amount of ego, but the accessive love and thought the Nordic mind concentrates upon itself is warned against in the Bible when humanity is admonished, "Pride goeth before a fall." Perhaps Ralph Buche was able to do in the Holy Land what no human being with a white face would have been able to accomplish in Asia simply because dark people have grown suspicious of white people.

Experience teaches there is no more dangerous person in the world than a hypocrite. They are the creatures who have butter on their tongues while murder rages in their hearts, and this Filipino who talked with me last week conveyed very clearly the information he had decided the ruling class in this country are very hypocritical in their approach to minority groups.

It is appalling to think of the catastrophic consequences which may emerge from this unfavorable position America occupies in the world if another international conflict occurs. White people should keep in mind that after all they are a minority race, and that they have controlled the world because of the facility and organization which they have given to the inventive genius of dark people. The Chinese invented gunpowder while the African initiated formulas for the use of iron and steel.

Whenever the day comes when yellow, black and brown people unite to use together the same tools of violence now employed by the dominant nations, it stands to reason four-fifths of the world will not long continue to permit one-fifth to control them. It seems to the Black Dispatch the time has come when as a matter of self preservation alone, the white man would do well to inaugurate a sincere and genuine program of brotherhood and fair play in the world. Japan lacked just a little bit of having the know-how and the power to turn the wheels of world balance just a few short years ago. Today, Russia occupies a similar position. Sound, sensible statesmanship in the white world today will be out scouting for new alliances in manpower. All that the American Negro has now or can ever hope for is wrapped up in the white world. It perhaps may prove of great profit for America to send out into other lands sable-hued ambassadors of good will such as Ralph Bunche to recover its good name among ethnic groups whose faces are dark.

DUSTIN' OFF the NEWS

By LUCIUS HARPER

Defender Go Back to Chicago, Ill. Home After Thirty Years

Sat. 6-18-49

UP TO the month of May it had been some thirty years since I had ventured into the deep South — Georgia, the Carolinas and Florida. Of course, on several occasions I have hit the borderline; Louisville and Nashville, where the battle between color isn't as rigid and stupid as it is farther down. In fact, these two cities are Paradises to what one encounters in the real land of color prejudice. In both Negroes have for years used and utilized their political power to protect and safeguard their civil rights. From here on, however, the story is quite different in the relationship of the two races.

Lucius Harper

I was anxious to arrive at Augusta, Ga., where I was born and where I hadn't visited the old homestead in exactly thirty years. My wife, who accompanied me on the motor trip, was making her first visit to this region of strict discrimination. I had indoctrinated her regarding its ignorance and stupidity by pointing out the hovels along the roadsides in which poor whites dwelled. She seemed rather dejected at viewing human beings living in such poverty and filth. But here they were, these "superior" people, living like ancient peasants — with chickens strolling through the house—viewing from their rickety and weather-beaten porches Negro tourists (supposedly "inferior" to them) motoring past in their Cadillacs, Packards and Buicks.

I came to Augusta through the invitation of Dr. A. C. Griggs, Principal of Haines Normal Institute, to deliver the Commencement address to a class of forty-five cheerful, bright and hopeful looking young men and women. This school I had attended in my boyhood under the direction of its founder, that noted woman educator, Miss Lucy C. Laney, who gave our present Mrs. Mary McLeod Bethune her first teaching job. Pride, of course, enthrilled me. This delightful duty completed, I began to make a survey of comparison of the Old Augusta — how it seemed to me thirty years ago, and how it appeared to me now.

* * * 6-18-49

I TRAVELED its streets, went into its shops, both white and colored, conversed with old friends, and enjoyed what festivities were in progress during my brief sojourn. I was full of questions especially on racial angles, and the natives were equally as generous with direct answers; some they pointedly admitted were embarrassing to admit. But frankness was our theme of discussion.

In the general summary of my survey of conditions in some of the larger cities of the South, and surely most of the smaller ones I have come to the conclusion that the Negro, as a whole, is in a worse state of affairs than he was thirty years ago. In a town like Augusta his plight is almost pitiful, if not tragic. He has nothing that the white man is bound to respect. Frankly, the white man does not respect him at all. Here the Chinese and other foreigners, regardless of their lowly status, share the respect of the white townsmen far greater than the native born Negro, even to that group of upper classmen who have striven so long, diligently and faithful to bestow honor upon their city through thrift, pride, self-respect and industry. They still dwell in a humiliating subhuman status, and face daily all the obnoxious and vicious labels that characterizes a hell-hole of Jim Crowism and color proscription. They are constantly reminded, from morning until night, that they are "different." Their street taxis flare the red-painted words: "White Only"; their Union Station welcomes the traveler with these gold-written letters above the waiting rooms: "White Ladies" on one side, and on the opposite: "Colored Women." Then for the men: "White Gentlemen," and the opposite, "Colored Men." The white side is kept spic-and-span—they seem to dump the garbage collected from the white side onto the colored, and nobody seems to care. Through these signs, of course, typical of the South, the Negro is forever reminded that Democracy does not include him—it is for "White Only."

Sat. 6-18-49

I SPENT two days observing the Negro as a customer and shopper in the white stores in Broad Street in Augusta. Here his approach is timid and rather apologetic. He seems cowed and afraid. He seems to think the store is doing him a favor by permitting him entrance. He is seldom permitted to finger or handle the wares he wishes to purchase. He points to them, and the white clerk does the rest, addressing him or her as "customer." The whites are addressed as "Mrs., Miss, or Mr." as the case may warrant. The exception, however, is in the S. H. Kress and other ten cents to a dollar variety stores, where tin gadgets and the like are sold. On two occasions I saw white clerks abusive and outright insulting to Negro customers.

Two neatly-dressed colored girls approached a woman clerk at a ladies' ware counter with manners befitting an Emily Post student.

"Whadda you want?" the clerk abruptly remarked. One girl replied.

"We don't have it here, and don't touch those things looking for it."

"Well, Miss, do you think they have it upstairs," one girl inquired.

"I don't know; go up there and see for yourself," the uncouth remark flew back and the white clerk walked abruptly away in a most discourteous fashion.

The girls rather sheepishly strolled away in the direction of upstairs, then the clerk seeing me nearby asked courteously: "Is it something that you wish?"

I politely informed her that I was awaiting my wife, and she, as politely, suggested that "why not surprise her with one of these beautiful headscarfs while you are waiting. Women, you know, are never on time," she continued in a most friendly tone.

Defender Chicago, Ill.

I WOULD have rather "surprised" this clerk by giving her a strict lecture on decency and courtesy, and how to treat human beings, especially those who are helping to pay her salary, but I had just passed the Bowen Hardware store, across the street, and viewed in its window display plenty of rifles, bullets and ropes, and I passed up the lecture and reprimand as not a rather healthy undertaking in the brand and type of civilization that now engulfs Augusta. I wondered, however, if these two colored girls were as depressed over this insult as I was, or that they were case-hardened to such treatment from whites — being treated as some sort of harmless animals instead of human beings. I wonder.

RALPH McGILL

Looking at the Sea, A Man Must Think

Some years ago a young Georgian in the Merchant Marine started writing me. It was during the war years. I have now a letter I want to reproduce because in it he managed to express a philosophy about himself and his state which seemed to me awfully good—better writing than he knew he was doing, I imagine. Here's his letter, mailed at Dover, England:

Back at Sea Dear Mr. Ralph: I would have written to you sooner than this, but I was in the hospital for nearly eight weeks as a result of injuries received in an explosion aboard the "Alexander." I was released for duty March 1 and sailed aboard this "tub" March 10.

It's a funny thing, life—I lost three ships during the war and I think it would really be funny to "get it" in some freakish accident ashore. My only wish is that when the "Head Pilot" calls my number I'll be somewhere on the briny deep and that my remains be sewed in canvas and dropped down to "Old Davy Jones' Locker." I've spent so many years on the water that I call it home and that's where I want to be buried. I have a horror of being buried in the ground with all that dirt piled on me. The sea seems so clean as compared with land. Guess most folks figure different. If we all figured alike this would be a pretty monotonous world.

Well, Mr. Ralph, we're on our way for more displaced persons. When we dump our dependents and troops in Germany we go to Naples, Italy, for a load of DPs for Brazil. From there we go back to Italy for another load and then we take the long hop through the Suez Canal to Australia. From Australia we'll come home to San Francisco via Japan and China. This will make about my eighth trip around the world.

When I was a kid over in South Carolina I thought it was a wonderful adventure to go to North Carolina (only 45 miles) in a Model "T" Ford. Now trips to Europe and back seem only like a trip from Spartanburg to Atlanta. Some fast world we're living in now!

Hope you're feeling well and happy these days.

By the way, how's the "Green Dragon" and his "hooded" knight of terror making out? Wonder if we'll ever forget the War Between the States? I hope Herman can pull up some of the old stumps in Georgia and sorta start a new orchard there. He's young and capable and I wish him all the success in the world.

Better get ready for chow now. I'll drop you a line from time to time.—WALTER J. WOODRUFF.

Clean The sea is a clean place. And Woodruff has been thinking about life and death and what is in between. Not many persons do so think. But the rail of a ship is a good place to think. One can lean there and look across the limitless reaches of the sea and be almost in the presence of eternity. The lonely watches are a good time to think, with the stars overhead and maybe the Southern Cross in the skies. Or perhaps the rain lashing and the wind making the lines sing. They are all good times to think and to analyze, and weigh out the values a man has.

It is impossible for a person of any sensibility not to think on life and death and the meaning of life. Woodruff is on a ship which has been taking displaced persons to the various nations of the world, putting them down—men, women and children—to begin life anew in some alien land. A man must wonder about that and must try to figure out what is wrong in the cosmic scheme of things which drives thousands of persons to hunt a place in the world where they may live in relative peace.

Thought So, in the midst of all that and with the tumbling sea always there to testify that man is indeed but a brief and fretful hour upon the stage of life, it is but natural he should think on his State.

South Carolina-bred, Georgia-reared, he sees the Ku Klux Klan for what it is and he has learned that while we need not forget the wounds and the injustices of the post-War Between the States reconstruction period, they are not the lights which will guide us and they are not sound values on which to determine present decisions. His next step is also a natural one. There are thousands of young Georgians who hope Gov. Herman Talmadge will keep his eyes set on the future and will uproot old stumps of prejudice and fear and violence and set us a new orchard of faith and equal justice for all. That, indeed, is one of the chief factors in the undenied popularity the young Governor possesses—the hope that he will, as the young seaman says, plant us a new orchard.

Anyhow, his letter seemed so good I wanted to share it.

What the Negro Wants

Editor Constitution: I speak for 10,000 Negroes of Georgia. We want but a field that is fair. A chance that is equal with all in the strife; the courage to strive and to dare.

We want our children to grow up unafraid, healthy and happy. We want better educational and recreational facilities for our boys and girls. We want trained instructors with a financial status that will enable them to devote all of their time to their work and its preparation.

We want better housing conditions and better streets and roads, and a salary for all workers that will create a higher standard of living conditions. A salary which will enable parents to send their children to school, rather than keep them out to work for their own livelihood.

We want a fair trial in court under the regulations prescribed by the Constitution for any crime committed. I agree 100 percent with a recent issue in the editorial, "A Negro should receive the same punishment for killing a Negro as he would for killing a white man under like conditions and vice versa."

I wish to commend the citizens of Marietta on the $75,000 swimming pool, and other recreational and educational features of that city for the Negroes.

We only want a chance to prepare and prove ourselves worthy citizens of this great State.

Hartwell. O. M. LEWIS.

Negro Attacks Northern Press

ALBANY—(AP)—A leading Negro educator and author, Dr. J. W. Holley of Albany, founder of Albany State College here and author of the recently-published book, "You Can't Build a Chimney From the Top," declared before a white audience of Kiwanians yesterday that he protests "the attack on my race by the Northern press and other organizations."

Holley scored particularly the Rosenwald Foundation, the National Association for the Advancement of Colored People and the CIO.

Ex-Michigan Governor Enters Battle Over Race Reldtions, Denounces NAACP

ALBANY, GA., Feb. 5—(AP)—Chase S. Osborn, former Michigan governor, today entered a word battle over race relations by denouncing "impatient dreamers and subversive schemers."

The 89-year-old former governor, a long-time Winter resident of Georgia, took issue with the National Association for the Advancement of Colored People and its spokesman, Walter White.

He said White had made "slanderous" statements about Dr. J. W. Holley, Georgia Negro educator and author of a book on race relations "You Can't Build A Chimney From the Top."

White said Friday in New York that Holley is "without standing among Negroes and intelligent whites" of Georgia. His statement came after Holley spoke before the Albany Kiwanis Club on "the rape of my race by the Northern press and other organizations."

Osborn defended Holley's "realistic attitude toward race relations in the South" in a statement to the Albany Herald. He said "impatient dreamers and subversive schemers," attempting to speak for intelligent people of Georgia, "crudely overshoot the mark."

He termed White's statement "a slander not only of the Negro educator and author but of his friends."

"Holley has the sense to see and fight for the efforts of sane citizens of both races in the South who are striving with all their might to keep the Negroes and whites working out their future gradually together," Osborn said. "He is for progress, however slow, in preference to bloodshed."

Dr. Holley, who founded the Albany State College for Negroes, commented today that White had made a fortune "exploiting the miseries" of Negroes. He added that no Negro had ever stood as high in the estimation of white people in Georgia as himself.

Dr. Holley said he had enjoyed the confidence of the last eight governors of Georgia through whom he had been able to raise hundreds of thousands of dollars for Negro education.

Georgia Is Still a Sore Spot

The Talmadge Reaction and Unit System a Problem for the State Itself

By Henry Lesesne

ATLANTA, GA.—The prophets of tomorrow are now despairing that erence or cay who called the Georgia of Ellis night. 'Between' then and now, it solely on the b Amall a preview of the South must be admitted, there is the dif- give Georgia's

not to do so. This was listed as a borderline case by Tuskegee Institute because only two men were involved.

THE series of lynchings in Georgia began shortly after the war when a group of white men in Walton County killed two young Negroes and their wives for no other apparent reason than one of the men had been released on bond after stabbing a white man. The quadruple lynching occurred in the summer of 1946 and until then there hadn't been a lynching that year.

The Southern Regional Council recently listed seventy crimes of intimidation against Negroes in the South since January, 1948, which it said pointed to "a pattern of violence." Thirty-three of the crimes were committed in Georgia. The incidents were culled from Southern white newspapers and were not intended, by any means, to be all-inclusive.

By way of introduction, the council said: "These (incidents) include instances in which private citizens or public officials (1) use either actual violence or intimidation to influence the conduct of others in a direction not prescribed by law; (2) punish others in an extra-legal manner for supposed offenses against law or local custom; (3) organize for the apparent purpose of intimidation or violence."

GEORGIA newspapers and church groups as well as others have waged relentless war on mob violence. The whole state should not be condemned for these racial incidents any more than the whole South should be blamed for Georgia. Georgia is the home of the revived post-war Ku-Klux in the South, but the Ku-Klux is hardly representative of Georgia as a whole. It must be remembered, though, that the banner of white supremacy has been the principal political issue in Georgia for years, and probably in no other Southern state is the rural influence so predominant as in Georgia.

By way of comparison it might be recalled that not long ago a jury in Alabama convicted two white men of raping two Negro women and they were sentenced to forty-five years each. In North Carolina the last two years Negro school teachers have averaged higher pay than white teachers. North Carolina, too, recently put a Negro on its State Board of Education. Last year in Washington County, Mississippi, the voters approved a $1,500,000 bond issue which made possible, with state and Federal aid, a new hospital for Negroes. It was the first hospital built there for either race in a quarter century.

Such incidents can be cited almost endlessly. They are indicative of a change in the Southern way of thinking. Industrially and economically the South is changing swiftly. About the only thing that isn't changing is its creaking governmental machinery geared to a century ago. There are many who believe that unless the South moves forward governmentally as well as economically its rate of general progress will be retarded.

IN THE light of succeeding events, it seems rather amazing that Arnall's liberalism should ever have come to Georgia at the time it did. But it must be remembered that when Arnall brought a political revolution to Georgia the state was suffering from an overdose of Talmadgeism; it was preoccupied along with the rest of the country in winning a war rather than with its internal affairs, and Arnall was a go-getter with as dynamic a personality and as much a flair for the dramatic as any politician who has crossed the Southern scene. The South has an inherent admiration for showmanship.

Arnall couldn't succeed himself. Even if he could have run, it is doubtful he could have been re-elected. The pendulum had already begun to swing, pushed by the civil rights controversy. Yet the man whom Arnall supported for governor, James V. Carmichael, was the top man in the race. He got the vote of Georgia's newly enfranchised Negroes. Discounting the Negro vote—it was the first time Negroes had voted—the late Gene Talmadge would have easily won the popular vote. As it was, though, Carmichael received the popular vote, but the nomination went to Talmadge because he had the most county unit votes.

THIS could have happened in no other state in the union. That is why it is brought up here—because it is something which must be considered when one attempts to fathom why Georgia is the state it is. It must be remembered that Georgia has one really big city, Atlanta, the commercial and business center of the whole Southeast; a cosmopolitan city in which there is much liberal thought, yet a city which has nurtured the Ku-Klux Klan since the modern version of the order was born on Stone Mountain after the first World War.

Yet this big city, the capital of the state, has a negligible voice in state affairs, which under the archaic unit system are dominated by the small, backward rural counties. It is generally accepted that every state in these modern times has too many counties, but Georgia has an amazing number—159. Some of them are so small they don't even have a town as county seat, merely a crossroads community. Yet every county has two unit votes and one representative in the House, whereas the eight largest counties in the state have only six unit votes each and three representatives in the House. The eight large counties represent 270,000 of the state's one million voters.

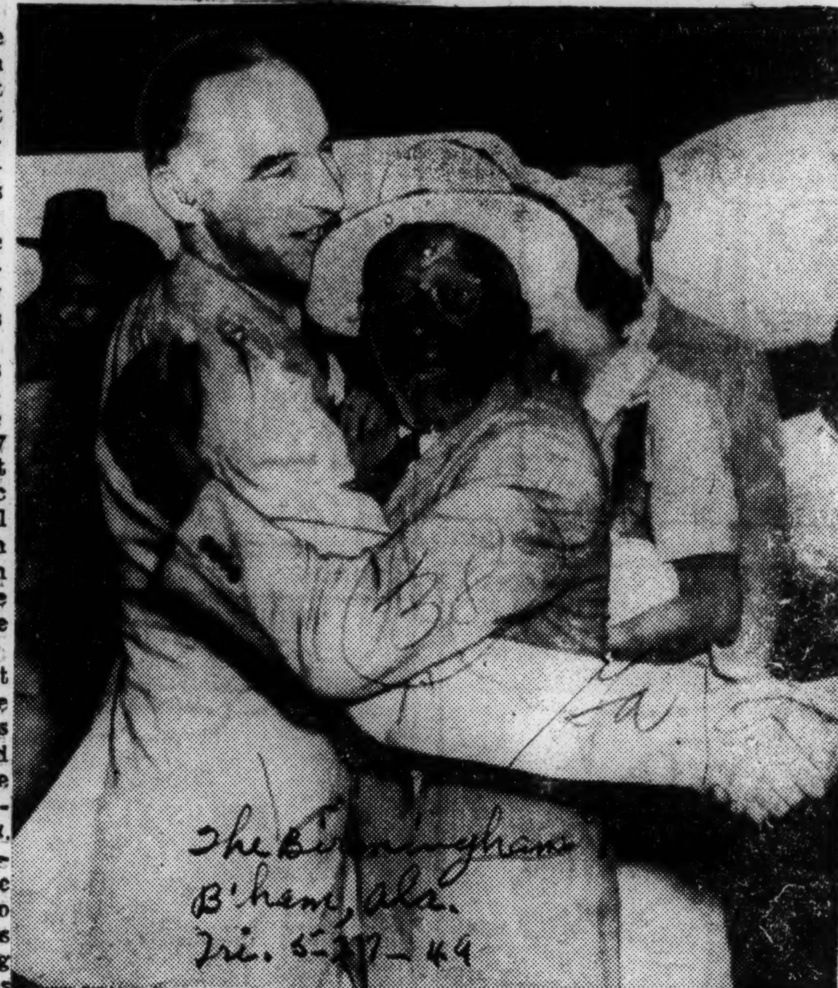
Thus, more than 25 per cent of the voting strength of the state is in eight counties with forty-eight unit votes—a little more than 11 per cent of the unit vote. In a primary election, one vote in a small county—Chattahoochee, for instance—is worth 106 votes in Fulton (Atlanta) County. Yet Fulton County pays the state over a million and a half dollars annually in general property taxes while the smaller county pays $1,000.

A resolution went through this year's Talmadge-dominated legislature which will permit the people to vote on extending the county unit system to general elections. It now applies only to the Democratic primary, so far the only meaningful election in the state. Coupled with this is the new Georgia registration law which is intended to nullify the Negro vote. It will probably be tested in the courts.

The principle of the county unit system is deeply ingrained in the average Georgian. In recent years the Supreme Court of the United States has declined to declare the system invalid. Some citizens challenged the system in the courts. Obviously no politician would champion abolition of the system because it would be his political doom. Also obviously, only the gradual processes of public opinion could ever bring about a change. The small counties are naturally jealous of their political dominance.

THE question arises why the Talmadge forces should want to extend the county unit system to the general election. The answer to this is that most of the Negro vote in Georgia is in the urban centers, the Negro having been more or less disfranchised in the past by local election officials in the rural counties. The county unit system would lessen the influence of the Negro vote in cities like Atlanta and Savannah in the general elections. The general election isn't of much importance in the South now, but Negro suffrage and other factors are making the general elections potentially of considerable consequence.

Georgia currently is faced with an acute school crisis. The people in a referendum earlier this summer refused to authorize the legislature to enact new taxes to finance an expanded school program. [redacted] gets approximately the same. The Talmadge administration refused to take a stand on the school issue, merely referring to the people the question of whether new taxes should be found to finance the school program.



WELCOME HOME, MASSA—Gen. Lucius D. Clay got a big hug and a "Welcome home, Massa" at Marietta, Ga., yesterday from Reuben Johnson, his 88-year-old gardener. Reuben has served the Clay family since before the general was born. Clay returned to Marietta for homecoming ceremonies after a long tour of duty as U. S. military governor in Germany. (AP Wirephoto)

Talmadge Calls For Disfranchisement

ATLANTA, Ga. — This was Georgia's dark week, a week of victory for racism and the sick-minded doctrine of white supremacy, a week of disaster for democracy and human decency.

It was marked by a brutal murder in Quitman, similar to the lynching of Robert Mallard, when 51-year-old Maceo Smith was hacked to death at midnight in the wood lot on his farm.

It saw a travesty at Lyons, where Mallard's weeping widow saw the chief suspect in her husband's lynching freed by crude courtroom tactics that violated the nation's sense of justice.

It witnessed a blatant call to bigotry by the governor Herman Talmadge, who demanded the passage of a law to disfranchise Negro voters by a tricky "educational test."

It was the week when a reputable businessman and community leader at Augusta was threatened with death if he does not withdraw his candidacy for the city council because he is a Negro.

It was the week when the Junior U. S. Senator, Richard B. Russell, joined with other leaders of the reactionary Dixiecrats pledged to fight against ending filibuster rule of the Senate in an effort to block federal legislation against the pattern of disfranchisement and discrimination by which he rose to power.

That was the week when the state's Klanrats, the stormtroopers of the white supremacy bund, threatened violence over an exhibition baseball game if two Negro players on the Brooklyn Dodgers team participate in the game.

It was the week in which Negro school teachers, who have fought successfully through the courts for salaries equal to those paid to white school teachers, were threatened with having their number seriously reduced in retaliation.

It was a dark week in Georgia. It all happened in seven brief days.

64 Arrested, Fined $5 After Mixed Party Raid

Young Progressives of Louisiana Arouse Police Wrath for Practicing Democracy

NEW ORLEANS — Sixty-four young people were arrested and fined $5 each here on Feb. 5 when police conducted a midnight raid on an interracial party sponsored by the Young Progressive of Louisiana at a private home.

The officers forced their way into the apartment of Arlene Stich, 23, of 816 Orleans St., without a search or seizure warrant, and herded the young people into four patrol wagons.

Many of the guests at the party were students at Newcomb College, Tulane, Dillard and other universities in the area.

60 Note Appeal

The trial in Judge Edwin Babylon's night court lasted from 2:30 a.m. until well after daybreak when the defendants were each fined $5 or given the alternative of five days in jail.

Sixty of the defendants immediately took steps to appeal, and were represented by James I. McCain, H. S. Midlo, Mike Culligan Jr. and Leonard Rosenson, attorneys.

The arrests were made on a "disturbing the peace" complaint lodged by a neighbor, but it was obvious from the circumstances that the interracial aspect of the party did not please the authorities and was the real cause of the raid.

Arrest, Fine 64 at Mixed Youth Party in New Orleans

NEW ORLEANS — Sixty-four persons, some of them sociology students at Newcomb, Dillard and Tulane Colleges here, were fined $5 for "disturbing the peace" after they were arrested at an interracial party sponsored by the Young Progressives, youth affiliate of the Henry Wallace party, Sunday.

The party was held in the apartment of Miss Arlene Stich, 23, who said the affair was held with an idea to expanding the Young Progressive group in New Orleans. She has been a resident of this city only three weeks.

Police visited the apartment several times before finally arriving in four patrol wagons to arrest the guests. Each time, according to Miss Stich, they found the group quiet and orderly.

Arrests were made on the complaint of William R. Kinsella, 820 Orleans st., who insisted he had been disturbed by disorderly gatherings at the Stich apartment for ten nights. However, according to Miss Stich, she and the young woman with whom she shares the apartment had entertained two small groups of friends on only two previous occasions.

Protests No Search Warrant

She said she protested to police about entering her apartment without a search warrant, but was told that if she complained the charges would become more serious.

A Newcomb sociology professor, who asked that his name not be revealed, said he had encouraged his students to attend the party to study "social trends."

30 Negroes Present

Arrested were 36 whites and 29 Negroes and a juvenile. Charges against one white man were dropped and the 15-year-old Negro girl was placed in the House of the Good Shepherd.

All those arrested and fined have appealed their cases except two. These were young women sociology students from Newcomb who said they went to the party as observers and had not known it would be interracial.

The trial lasted eight hours Monday. Atty. James I. McCain, representing 56 of those arrested, said the "party had no political significance, but was merely a social gathering."

60 ASK REVERSAL IN DISORDER CASE

Mixed Group Appeals from $5 Fine Sentences

Judge J. Bernard Cocke Thursday in criminal district court took under advisement an appeal by 60 persons for a reversal of sentence imposed on them in municipal court for disturbing the peace.

The appellants, both Negro and white, were arrested from a residence at 816 Orleans shortly after midnight February 6 and booked at the Third Precinct police station after police had received a complaint that persons attending a party at that address were disturbing the peace.

The group was sentenced to pay $5 fines or serve five days in jail by municipal court judge Edwin A. Babylon.

Jorda S. Derbes, assistant city attorney, told the court Thursday that the mixed gathering "may have been a public meeting under the guise of a party." He said a majority of those arrested were students.

His statements came after James I. McCain, attorney for the appellants, said there was no evidence to show that any of those arrested had individually disturbed the peace. He said prosecution and conviction of the group had been based on "traditional and not legal reasons."

Judge Cocke said he would rule later this month on the appeal.

PRESIDING JUDGE Edwin A. Babylon ruled against the defense on every point raised by defense attorney James I. McCain. He allowed a white witness to complain about noise he claimed to have heard for twelve nights previous to the night of arrest. He refused to do anything when a witness "injected the race issue" into the trial by complaining that the laughter of Negroes is louder than the laughter of other people. He refused to dismiss the charges on the ground that the arrests were made, not because of alleged noise, but because it was a mixed party. He refused to postpone the trial to give the defendants time to prepare their case.

64 Negro and White Youths Jailed for Holding Party

By Victor Savage

NEW ORLEANS.—Sixty-four young people, white and Negro, have been convicted here in night court of "disturbing the peace" because they held an inter-racial party.

"When I walked into the apartment," said Lt. Fogarty, the chief arresting officer, "I saw Negro and white women dancing." He made this declaration at the outset of his testimony, speaking in a raised voice to make sure that everyone in the courtroom would hear. He said he arrested them because of the "loud noise" but it was clear that social mixing of the races was what had outraged him.

When the arrests were made on Saturday night just a little after midnight, the officers asked, "Who are these n- - - -rs? Were they invited here?" The policeman who escorted the white girls to their cells in the Third Precinct jail told them, "I don't see how nice girls like you could be around among the n- - - -rs."

The party was held by the Young Progressives at a private residence at 816 Orleans Street, and most of the people present were students from Tulane, Xavier and Dillard Universities. They ate,

'No Disorder' At Interracial Party

NEW ORLEANS—Circuit court judge J. Bernard Cocke last week over-ruled an earlier finding of guilty of disturbing the peace, and discharged some 60-odd white and Negro college students who had attended an inter-racial meeting at the home of a white school teacher.

The meeting was held last February at the home of Miss Alice Stich, and was attended by 29 Negro and 36 white students from Tulane and Dillard universities and Newcomb college. A white neighbor, William R. Kinsella, notified the police of the mixed meeting, and all of the guests were arrested.

At the first hearing, Criminal Court Judge Edwin Babylon found all of the participants guilty, and fined them $5 and cost each, or 5 days in jail. Through the aid of the Louisiana Civil Rights Congress the case was appealed, resulting in a reversal of the guilty finding, and discharge of all the participants last week.

SEVEN SENTENCED OVER MIXED OUTING

(The Associated Press)

Baltimore, March 22 — Seven white persons were fined and given suspended prison sentences today for promoting a mixed tennis outing last summer for whites and Negroes. One is a woman.

They were convicted of conspiracy to disturb the peace. The state avoided a direct test of the segregation policy in Baltimore's municipal parks.

Two of those involved are officials of the Maryland Progressive party. Judge Herman M. Moser said it seemed clear to him the group was "endeavoring to make political suckers out of a large group of our population."

GHOST-WHAT-AINT

McComb Enterprise-Journal
McComb, Mississippi

Speaking before a banquet of Mississippi agricultural leaders in Jackson Friday night Senator John H. Culkin of Vicksburg, one of the state's foremost thinkers exclaimed, "Many people in Mississippi have a mistaken idea about the Negro. The Negro is not the white man's burden but the white man's commercial and industrial opportunity. What good would the broad acres of farm land be if we had no labor to help us till them. What good would big industries be if there was not sufficient labor to supply the manpower."

Then the Mississippi senator presented a good punch line to this address when he added, "I'm not talking about social equality. There is no such thing. I make three trips each year to New York but not on a single trip have I been met at the train by any member of the Morgan family, the Vanderbilts, the Rockefellers, or any of the blue blooded and Blue Book society of Manhattan." Mon-2-7-49

Senator Culkin thus stated something that Mississippians must learn. The men and women who try to hold the Negro down and to suppress his opportunity simply do not comprehend that the world is moving along and that humanity must be treated as such regardless of color. Mississippi must move forward within the realm of states' rights which this newspaper has so ardently and persistently upheld but at the same time giving recognition to the fact that the demand for states' rights presupposes the acceptance of states' responsibilities.

There is but one economy in Mississippi. It is neither a white man's economy nor a black man's economy, but an economy of the state as a whole. The great commonwealth of Mississippi cannot attain its full and rightful share of progress and prosperity so long as one million of its citizens lag behind. Thinking leaders, white and black, agree that the Negro race has experienced a cultural and intellectual lag of three or more centuries but it is the task of white leadership to help overcome this racial lag. So long as any race lags behind the progress of the community is handicapped. The biggest ghost-what-ain't in the South is the thing called "social equality." This has been the booby-trap that has thwarted three generations in the Southland. It is time that sensible people recognize this ghost-what-ain't for what it is and to face the reality of the problems of the South and Nation. Blatant and blasphemous attacks on progressive leadership that seeks to move forward sensibly and realistically in this field are not the ones that suffer from the short-sighted-ness of the attackers. The price is paid by the children of Mississippi—and Mississippi herself.

Carolina Governor Says: Time To Stop Dodging Negro Issue

Birmingham News
Birmingham, Ala
Sat - 1-15-49

WINSTON-SALEM, N. C., Jan. 15—(AP)—Newly-inaugrated Governor W. Kerr Scott said today it is time North Carolina stops dodging the Negro question.

"I'm going to follow through to see that the minority race has a fair opportunity and gets the training" to fit it into the state's growth, he added.

He spoke at a meeting of the North Carolina Dairy Products Association.

"I'm firmly convinced," Gov. Scott continued, "that we've got to go ahead and meet the issue of the minority race. They came here against their will, brought in chains. One of the Ten Commandments says that the sin of fathers shall be visited upon their sons even to the third or fourth generation.

"I'm not so certain but that the reason the textile trade is moving out of New England is that Boston slave traders are having their sins visited upon their descendants."

Tolerance, Understanding And Education

Montgomery Advertiser

Publisher John S. Knight, The Detroit Free Press

I ATTENDED a dinner the other night at which funds were being raised to provide badly needed recreational facilities for the Negro population of a prosperous Middle Western city.

Montgomery Ala
Wed-1-12-49

It was an inspirational meeting. Speaker after speaker emphasized the problem of the Negro citizen in becoming a useful member of his community.

The point was made that although Negro boys and girls are required by law to remain in school until they are 16, and many of them are graduated from high school, opportunities for employment are limited because of their color.

Manufacturer, merchant, banker and businessman agreed that the proposed civic center had been too long delayed; that the community had a definite obligation to lend a hand to Negro leaders interested in building better citizenship among their own people.

One merchant, a Jew, reminded the audience that we all belong to minority groups—that the Caucasian race is greatly outnumbered by the Asiatics and the dark-hued inhabitants of the Far East.

There was no talk of compulsory legislation as the answer to unfair practices, no demagogic appeal to emotion.

The theme was tolerance, understanding and education.

THE mayor of this city remarked that the community was remarkably free from segregation, as it is understood and practiced in so many places. He mentioned the number of Negroes employed by the city and the excellent work they are doing.

As he talked, I could not help recalling the same city—in another era.

I remembered when the Ku Klux Klan was at the height of its power and virtually dictated the election of city and county officials, as well as controlling the board of education.

The late Wendell Willkie first came to public attention by his courageous fight in this same city against the Ku Klux Klan.

It was a brawling, turbulent city in which labor strife made a mockery of law and order. A fiery ex-mayor had attempted to organize a strike-breaking band of vigilances but was restrained by cooler heads.

The depression of the early 1930's brought dire predictions that this city was destined to become a "ghost town" of deserted factories and grass growing in the streets.

All bankers were labeled as crooks, cynically-minded citizens thought all politicians to be grafters and every labor leader was denounced as an "outside agitator."

Wed-1-12-49

It was a time of tension when grim-faced men regarded even their own neighbors with suspicion.

The lights of truth and understanding were slowly being snuffed out.

THROUGH the slow and gradual processes of community education and association, this same city today has learned that all citizens, regardless of race, color, religion or station in life, can live and work together as they come to understand and respect each other's problems.

The city is remarkably free from intolerance and prejudice. Racial conflict is at a minimum. Labor leaders serve on the boards of the Community Fund and the Red Cross. Any movement which deserves to succeed finds united community support.

The mayor of this city has, in three elections, received the backing of both industry and labor. The bitterness which existed between industrial management and organized labor has given way to orderly processes of collective bargaining.

Businessmen no longer think of their city in terms of a "ghost town," but as a thriving, progressive community in which there is a ready response to sound plans for civic betterment.

This city has survived the fires of industrial conflict, withstood the storms of racial prejudice and debunked the pessimistic predictions of its cynics.

It is achieving the maturity that comes with the understanding born of truth and tolerance and the teachings of the Sermon on the Mount.

The city is Akron, Ohio.

Oklahoma

Arresting White Women?

Black Dispatch, Oklahoma City, Okla.

St. Louis citizens are all agog and greatly disturbed because of the recent false arrest of two prominent St. Louis couples by white scoutcar drivers who assumed in apprehending these Negroes they were interrupting an interracial affair, (which after all in St. Louis is neither barred by state law nor city ordinance) invites attention to the lack of freedom black citizens have in this country.

Quite recently right here in Oklahoma City a prominent citizen, out driving at night with his wife, was followed home by scoutcar officers and questioned for the same reason. We recall also several years ago, when involved in a law suit in the district court, an Oklahoma City policeman testified on the stand he had followed a respectable Negro woman, and the wife of a professional man, a distance of some six blocks early one morning because he discovered this woman coming out of the back yard of a Negro home. The "supposed-to-be" delinquent white woman, he later learned, was the Negro truant officer for one of the major separate schools in the city engaged in the legitimate discharge of her daily work.

We have said all this in order to point out that Negro scoutcar drivers should be substituted in the Negro area of Oklahoma City for whites. In all our decisions respecting law enforcement the fact of race prejudice should be given serious consideration. Amalgamation of the two races in this country has reached a point where it is extremely difficult to find out whether, ethnically speaking, thousands of our citizens are coming or going. Why should a law-abiding citizen, attending to his own business, be subjected to insult and humiliation by white officers who do not know as much about the Negro community as a hog about a holiday?

Negro scoutcar officers could not possibly make any such grievous mistakes in the section where they live, and it is common knowledge, and the police records will bear out this statement, that Negro officers have informed on and caused the arrest of both white men and women, delinquent in their conduct in the Negro section of the city. In all fairness it would be equally as justifiable to place Negro officers up in Nichol Hills to adjust race relations of this character as to place white officers in the East Seventh street area charged with the same responsibility.

There isn't now, and never has been any effort made to apprehend white men consorting with Negro women in Oklahoma City. It appears all of the energies of our white policemen are bent on breaking up affairs developing among white women and Negro men. No one seems to realize that the reason so many Negro women are near-white results from the illicit relationship of white men with Negro women. Our statutes and our enforcement agencies in the administration of law should recognize evil irrespective of the blanket of color that envelopes the offender. 6-4-49

What we are saying here will of course not bring any immediate action. We understand that. The immediate reaction will be anger. But in the end our purpose is to make men think; to cause them to look through the evil of their ways. A woman is a woman irrespective of her color, and in a democracy is legally entitled to impartial protection from insult and injury. Moral standards should be maintained, but we should not enforce such sanctions at the sole expense of those citizens whose faces happen to be black and occasionally those who the lust of white men have placed in a twilight zone where recognition is difficult.

EQUAL OPPORTUNITY

The Black Dispatch

("I have never favored race segregation," writes J. A. Mooney, a liberal-minded white man of Sapulpa, Okla., and author of the poem below, "Equal Opportunity." Mr. Mooney has written two other poems which we shall print later.
Turn to editorial page, under Mail Bag caption to read Mr. Mooney's letter to the Black Dispatch.)

Oklahoma City Okla.

Whoever or whatever made the moon and stars, the sun and shade,
That Power that was ere time began, created every race of man.
If it were God and He is good, it seems to me quite sure He would
Not make some better than the rest, some to be curst, some to be blest.
But now we find at any rate, that some men share that evil fate,
And just because God made him black, we pile loads on the Negro's back. 2-12-49 Sat.
We claim our country to be free. It may be so for you and me;
But well we know who made the rules, the Negroes go to separate schools. The Black Dispatch
Although we lift our nose in air, our Jim Crow laws are quite unfair.
However much we think we're smart, we do not act a white man's part. Oklahoma City Okla.
Our laws on Justice should be based, but Jim Crow laws are a disgrace.
Unless such persecution cease, how can we ever hope for peace?
Each one should have an equal chance, in education to advance.
In every trade, in every art, each one should get an even start.
All should stand equal on the rolls as well as equal at the polls.
Where one is free to run and shout, we must not shut the other out.
I ask what justice can there be, to make one law for you and me,
But put some in a lower class, and make of them but slaves at last?
If there's a God in Heaven above, infinite in justice, peace and love,
Who is aware of all the facts, how can He square the white man's acts? Sat. 2-12-49
And if there is a place above, where all is peace and joy and love,
How can we hope to reach that place, while we have hatred for a race?
For surely God made no mistake, when He the black man chose to make.
Before we shout for Freedom's cause, we should repeal our Jim Crow laws.

(Written January 25, 1949, by J. A. Mooney, 112 E. Washington, Sapulpa, Okla.)

MAIL BAG

The Black Dispatch

To The Editor:

I have never favored "Race Segregation," and have watched with interest the fight for the admittance of Negroes to the state university on a base of equality.

I have written three poems bearing on the subject, and that it might be helpful if they were presented to the public at this time.

I am enclosing them for your consideration, and you are at liberty to publish them, and perhaps the Negro paper at Langston would also publish them.

Like Thomas Paine, I claim no right that I am not willing to grant to every other human being, and permanent world peace depends on the acceptance of the doctrine of universal brotherhood.

I received little schooling, but by intensive home study gained the equivalent to a college education, and altho in my seventy-ninth year, am still working and writing much poetry. Oklahoma city,

I visit both white and Negro schools and take a deep interest in all questions relating to education and human welfare. Okla.

I admire the valiant band of A. and M. students who are in the ranks for equal educational opportunity, and suggest in case my poems are published that they be sent copies. Sat. 2-12-49

I have other poems equally good but not confined to the race question.

If my poems merit publication you may use my name and an explanatory note giving my address

Very respectfully,
J. A. Mooney
Sapulpa, Oklahoma

Allen Is Asked by Viennese Girl About Racial Prejudice in U. S

Herald Tribune - Mon 3-7-49
New York N.Y.

She Leads Panel After His Speech, Inquires Why Voice of America Does Not Discuss the Problem

Following is the text of the panel discussion at the second session after the address by George V. Allen on "Our World Information Program," Mrs. Helen Hiett Waller was moderator, and participating were Ferdinanda Popper, of Austria, and Hanne Thomsen, of Denmark.

Mrs. Waller: Mr. Secretary, the students who have had the chance to check what they learned in Europe about the United States by newspaper and radio with actual facts here naturally have quite a few questions they want to ask you. As a matter of fact, and I shouldn't tell you this, because I heard it by eavesdropping, last night through a closed door here in our workroom, when a group of the students were deciding what they were going to ask you, I heard one of them (the chairman of the group) conclude that they couldn't possibly give you more than a minute and a half for each of your answers because they just had so much they wanted to ask you. Now, who's first? Ferdinanda? This is Ferdinanda Popper, from Vienna.

Race Resentment

Miss Popper: Concerning the United States Information Program in Europe. I should like to mention the fact that I have found several problems in the United States that I have not been informed about and had not been prepared for before I came over here.

Mon 3-7-49

The biggest problem was racial prejudice. I idealized the United States in some ways. I thought in the freest country in the world, in the country of the Bill of Rights, a thing like that would not be able to be found. Resentment against race, especially in the South, but even in Washington, D. C., struck me and gave me a real shock. Buses with signs like "White Only" and "Colored" are proofs of official segregation.

Resentment against religion I have found, too. Prejudice among people personally is bad enough, but the official attitude of some colleges, for instance, building up tremendous difficulties for Jewish students to enter into college, is in my opinion, worth condemning.

The biggest shock I had about the personal relations I had in Washington when, in a conversation between two girls going to the same school, somehow the point came up that one of the girls was Jewish, which immediately brought forth the exclamation of the other girl, "Oh, isn't it a shame!" Without thinking, almost unconsciously, proof of racial prejudice slipped over her lips.

The Propaganda Angle

Maybe it was because I had not been prepared to find anything of that sort that it struck me so violently.

In Europe we are subject to anti-American propaganda, and things like racial prejudice, official and unofficial, are very often used against America. I considered these articles mere propaganda and didn't believe in them, as I did not get any information of that sort from the American side.

Mr. Secretary, don't you think that this is an imperfection of the United States Information Program? I think it would be a wonderful task of this program to interpret the strength and also the weaknesses of the U. S. democracy, so that those facts could not be used against America in the anti-American propaganda.

Maybe the United States Information Program could inform the Europeans about the problems that even America has to face, and, most important, about the efforts that are being done to ease them. Because I have noticed, for instance, a Jewish family I stayed with here in New York has just recently bought a house in an area that until the recent past was forbidden to Jewish people, so, since a law has been made that permits Jews to live in this area, this would show Europeans who are not fortunate enough to judge by observation how the United States is facing those problems and is doing something about them.

This would certainly make the Europeans understand and not make them subject to believe anti-American propaganda that is exaggerating every weakness of the United States tremendously.

Mr. Secretary, don't you think it should be the great task of the United States Information Program to inform the Europeans about facts like this in a perspective so that they will be understood?

And now, Mr. Secretary, before you kindly answer my question let me inform you that when you said that we will take back impressions that might not be as favorable as when we came here, I want to tell you that the only thing that we have found here which did not fit our ideal picture of the United States was this, but everything else has been simply wonderful, and we are going to tell it to our people when we come back, the wonderful impressions, the wonderful, wonderful impressions that the United States and her great people gave to us. We are going to tell it to the people so that we will do our little share in promoting understanding between the peoples of Europe and the United States; to do our little share to build up a world of understanding and peace.

Mr. Allen: I want to say right off, though I may digress for just a second, that I certainly want to congratulate the judges of Austria and of the Herald Tribune. They certainly picked the cleverest girl in Austria, I'll bet you.

Your question was a very penetrating one and goes to the heart of the whole philosophy. Now, I've already covered in my principal remarks the fact that we are extremely anxious for the world to see us exactly as we are. We feel that if you build a Chinese wall of isolation around your imperfections you'll never get anything done. That's why we are so anxious and so glad for foreigners to come and see us, particularly those who can penetrate our society, and who can make thorough investigations.

Mon 3-7-49

Civil Liberties Story

Now the heart of your comments, I take it, does not concern the fact that certain racial prejudices do exist in the United States, and certain things that we're not proud of, and we hope very earnestly we can constantly improve them. You haven't said that we were claiming we are angels, but your point is—and it's a good point—why are we not telling this part of the story of the United States on our Information Service abroad? The answer to that is that perhaps the leading story that we are carrying on the Voice of America today—I say perhaps the leading story, certainly one of them—is the heroic fight which the President of the United States is making for civil liberty.

Every day in our programs we are telling—we have been telling—of the President's campaign speeches, and the activities that he is going through at the present time, in a very genuine and earnest effort to bring about improvement in the very thing that you've talked about. We are telling it, and we shall continue to do so in every way we possibly can.

Mrs. Waller: There's a question now from Hanne Thomsen, of Denmark. I'm afraid it has to be the last.

Miss Thomsen: Mr. Secretary, how do you know whether your program of the Voice of America is effective, especially in the Iron Curtain countries?

Mr. Allen: That is also a question which is very frequently asked, and one which comes to anybody's mind. We don't have any Hooper ratings behind the Iron Curtain. We don't have any door-to-door ringing of doorbells, but in the modern world, no matter how tight you try to make your iron curtain, it's possible for a very considerable amount of well-founded information to come out.

We judge primarily by the reports of such officials as we have there. There are, in spite of the tightness of the frontier, people who come out very frequently. We ask everyone what his opinion is. We can judge, also, very closely, thanks to the kindness of Radio Moscow and of Pravda and Izvestia, by the extent of energy and effort they make to counteract our program, as to the effectiveness of it. If it wasn't stinging any, if it wasn't bothering them at all, they wouldn't go to all the trouble they do to answer the facts that we put out.

Mon 3-7-49

Russians Jam Programs

Furthermore, I can tell you that we have located, from time to time, eighteen transmitters in the Soviet Union which have been from time to time taken off their regular work for the purpose of trying to jam our programs off the air. Now they don't have an awful lot of transmitters that they have available for that sort of thing, because every transmitter they take off their own work to try to jam us deprives them of the use of it. We don't try to jam any Soviet program here, because nobody listens to it and we pay no attention to it.

Miss Thomsen: Thank you very much, Mr. Allen.

Mr. Allen: I'd like to announce on behalf of the Voice of America that we are very pleased indeed to present to all these students a recording of the highlights of their trip throughout the United States, which we shall use on the Voice of America, and we shall give each one of them a recording to take home as a souvenir of their visit here.

Immigrant From France Declares Pass Intentions

Daily World
Atlanta, Ga.
Thu. 7-21-49

NEW YORK — (ANP) — An immigrant from France, after seeing the hardships of the Negro race and after having suffered himself because of his liberal views, has decided to become a Negro rather than a white man. 7-21-49

General Kaufman, 22, graduate in psychology from Sorbonne university, declared his intentions to pass out of his own race after two years in the United States.

During these two years he has not been able to get a steady job because he lives in Harlem and is outspoken in his views about discrimination. He has not been able to apply for citizenship because his ideas have branded him as a Communist. His relatives have literally disowned him because of these opinions.

"OFFER AFFECTION"

"I have decided to cast my lot with the Negro people," the young French man said. "I find that they offer the affection which even my white relatives denied when they learned my ideas on equality."

Young Kaufman is engaged to marry a girl whom he met in California. When she came recently to visit him in New York he was put out of his Central West apartment.

At that time, he said, he decided to become a Negro. He went to Harlem to live. This is causing him much difficulty in keeping a job. His employers usually quiz him on why he lives in Harlem, and his frank answers on equality get him fired. Thu. 7-21-49

He first learned of American attitudes when he arrived in New York.

"I had formed a friendship with a group of colored musicians on the boat," he said. "They invited me up to Harlem for a visit. When I told my relatives where I was going, they became highly indignant. Though I went to Harlem just for a visit, I have not seen my relatives since that day."

During the war Nazis killed his parents while he went to school in the day and sabotaged the Nazis with the Free French underground group at night.

He has begun to write a book, "Harlem, USA", he said, on his adventures in Harlem.

New England Medic Says He Would Not Again "Cross Over"

Dr. Albert Johnston, Wife And Children Guests Of Press Club

NEW YORK—(NNPA)—A colored physician, who posed as white with his family in a New England community for twenty years, declared last Thursday that he would not do it again if he had the chance to live his life over again.

Dr. Albert Johnston, of Kenne, New Hampshire, whose life story is the subject of the motion picture, "Lost Boundaries," told the New York Press Club's weekly luncheon that if he could start all over again he would begin in the same community by revealing his racial identity.

Dr. Johnston, his wife, their four children, and Louis de Rochement, producer of the film, were guests at the luncheon as were Beatrice Pearson and Richard Hylton, who are co-starred in the interracial drama. Lee Whipper, a member of the cast, was also present.

The newsmen asked Dr. Johnston how it felt to be a white man, then colored, how he had come to reveal his racial identity, and whether he would do it all over again.

SON PRESENTED

In reply, he presented his son, Albert Jr., who willingly told how he felt when, after being "white" until his teen age, he learned from his father that he was colored.

The boy, an accomplished speaker and musician, said that while unknowingly "passing" as white he learned that white people really do not know colored people. He said, for instance, that they do not know that there is such a thing as "upper crust" among colored people.

Explaining that his family had received $10,000 to permit its life story to be made into a movie, he praised his father and said the money had been turned over to him and "the rest of us kids."

Albert said he was attending a lecture in school on racial attitudes in Hollywood, which was delivered by Mr. deRochemont when he first made known his story.

Shortly before the lecture his father had suddenly told him that he was not white but colored. After the lecture he said he went up to Mr. de Rochemont to congratulate him and at that time casually told him that he had just learned that he was colored.

The producer became interested, invited him to a conference and the story subsequently appeared.

The producer picked up the story and told how many Hollywood stars, whom he named off the record, had refused to play the lead in the play for fear that rumors would be circulated that they were part colored He commented Miss Pearson a white southerner, for accepting the leading role and said he aims to see that the picture is shown in the South.

Rochement said negotiations are currently under way with a big theater in Washington, D. C. which has "grown tired of the bias there," to show the film to unsegregated audiences.

Doctor 'Passed' 20 Years, Turns Colored Again

By NNPA News Service

NEW YORK — A colored physician, who posed as white with his family in a New England community for twenty years declared last Thursday that he would not do it again if he had the chance to live his life over again.

Dr. Albert Johnston, of Keene, New Hampshire, whose life story is the subject of the motion picture, "Lost Boundaries" told the New York Press Club's weekly luncheon that if he could start all over again he would begin in the same community by revealing his racial identity

GUESTS OF PRODUCER

Dr. Johnston, his wife, their four children, and Louis de Rochemont, producer of the film were guests at the luncheon as were Beatrice Pearson and Richard Hylton, who are co-starred in the interracial drama. Lee Whipper, a member of the cast was also present.

The newsmen asked Dr. Johnston how it felt to be a white man, then colored, how he had come to reveal his racial identity, and whether he would do it all over again.

In reply, he presented his son, Albert, Jr., who willingly told how he felt when, after being "white" until his teen age, he learned from his father that he was colored.

The boy, an accomplished speaker and musician, said that while unknowingly "passing" as white he learned that white people really do not know colored people. He said, for instance, that they do not know that there is such a thing as "upper crust" among colored people. 7-16-49

Explaining that his family had received $10,000 to permit its life story to be made into a movie, he praised his father and said the money had been turned over to him and "the rest of us kids."

Albert said he was attending a lecture in school on racial attitudes in Hollywood, which was delivered by Mr. de Rochemont when he first made known his story.

Shortly before the lecture his father had suddenly told him that he was not white but colored. After the lecture he went up to Mr. de Rochemont to congratulate him and at that time casually told him that he had just learned that he was colored.

STORY APPEARED

The producer became interested, invited him to a conference and the story subsequently appeared.

The producer, picked up the story and told how many Hollywood stars, who he named off the record, had refused to play the lead in the play for fear that rumors would be circulated that they were part colored. He complimented Miss Pearson, a white southerner, for acting the leading role and said he aims to see that the picture is shown in the South.

Rochemont said negotiations are currently under way with a big theater in Washington, D. C. which has "grown tired of the bias there," to show the film to unsegregated audiences.

ON LEADING ROLE

Miss Pearson said she was proud to play the role of the colored girl and explained, with Mr. de Rochemont, that she understood the efforts made on the role.

Efforts had been made to get a colored cast for the film, but that in competing with other racial films time had not permitted a thorough canvas of the country for persons with talent to play the leading roles.

The Johnston family looks "colored" and many wonder how they could have passed for white.

They brought with them from New Hampshire a white family and their daughter who had known the family all their lives. They also were accompanied by several white friends of the Johnston children.

Following the luncheon at the Hotel Theresa, the Johnsotn family and their friends were entertained at a reception in the Skyline Room of the Thereas on Thursday night by Sherman Hibbitt, unofficial mayor of Harlem.

Reporter Finds Education Jim Crow's Worst Foe

Washington Post
Washington, D.C.

By Fred M. Hechinger

RAY SPRIGLE listened to tales of terror. He heard an old woman, "wrung dry of emotion," give an account of how her husband was senselessly murdered. "I felt the broken pieces of bone under the skin," she said. "It was just like a sackful of little pieces of bone. I put my arms around him for one last time. . . . All down one side of him there were no ribs—just pieces that moved when I held him." Sun. 5-29-49

Sprigle learned of murderers who boasted of their crime and—walked out of the courtroom as heroes. He found out that men and women—critically ill or injured—are turned away from hospitals and left to die because they are black and the hospitals are white. And Sprigle, white reporter of the Pittsburgh Post-Gazette who "turned black" for a four weeks heroic trip through the South, trembled as he and his Negro guide were speeding along the roads. An accident far from a "black hospital would leave him helpless, condemned to bleed to death.

Sprigle saw and felt terror and recorded it in a magnificently honest book, "In The Land Of Jim Crow" (Simon & Schuster, Inc., $2.50). But when he asked Negroes what they want most, there were just two things: the ballot and "proper and adequate education for the children."

"Why not end murder first?" he asked. In Georgia a Negro leader answered: "Votes don't kill easy." And another one said: "I'd almost be willing to quit the fight for better education for our people for 5 to 10 years if I could have some sort of assurance that all of these cracker whites would get a sound education. That way the cruelty and ignorance and gullibility would be educated out of them and they'd forget their hatred and intolerance of the Negro."

More Than Stunt

Sun. 5-29-49

THIS book is more than a courageous reporter's stunt. It is a powerful document of democracy: The story of men dying to cast a vote (dying with bullets in their bodies—not a figure of speech!) and of white men killing to prevent black men from voting.

Education and the lack of it is the core of this exciting book. The story of Minnie Dora Lee, "except for her dark skin, a typical New England schoolmarm," who in her "leaking old wreck of a shanty" teaches boys and girls, is the core of the struggle. After 27 years in Clay County she has climbed to a monthly pay of $112. She teaches all the eight grades and she is lucky that most of the kids have to be "excused" at cotton chopping and cotton picking time.

The sacred "separate but equal" slogan is exposed as the most gigantic lie: Thousands of Negro children see the inside of a school only for about four months out of a year; hundreds of Negro schools have teachers who never went beyond the sixth grade; planters appoint Negro girls as teachers because "her father raised more cotton than any other nigger I've got on the place."

Desperate for Education

Sun. 5-29-49

IN DISTRICT NO. 4, Madison County, Mississippi, Negroes own 90 per cent of the land and pay 90 per cent of the taxes. But they can't get schools built for that money; they have no voice in deciding how that money is spent. The modern "white school" with its five buildings (including the white principal's bungalow) was built nine-tenths out of black money.

When the Negroes finally did get a school of some sort, they couldn't build where they wanted it although a colored church group offered the land as a gift.

They had to build where Pearl Hawkins, big district plantation owner, wanted it, and Hawkins wanted it near his cotton gin. That way he could keep his underpaid hands; for "Negroes throughout the South are literally desperate for education for their children. Given a school in the neighborhood, they'll put up with almost any working condition, no matter how bad."

In Tennessee, Georgia, Alabama, and Mississippi, Sprigle saw Negro children trudging the highways to school. "From time to time the swirling clouds of dust thrown up by school buses would engulf them. The children in these buses were white."

Sun. 5-29-49

Not 'About Education'

DON'T get the idea that this is a book "about education." But the exciting chapters on terror and murder; the ludicrous information that even in the Deep South Jim Crow doesn't invade interstate Pullman cars; that Negro bankers have to refuse loans to white folk because no court would honor their documented claim; the outrage of fraud and exploitation and the perverted humor of a white public drinking fountain and a black-operated kitchen in the white home; all of these totalitarian stupidities simply point to the job which the ballot and the school have to do.

That the job can be done Sprigle found wherever the ballot had been extended and schools and colleges had been established. He even found Negroes and whites "mistering" each other with respect at party conventions—in the Deep South. And in the all-Negro town of Mound Bayou with its Harvard Law School diplomaed Negro mayor there is a modern elementary school and "a really fine brick high school, well equipped and well staffed."

There are even some Negro plantation owners in the South who have proved that honest and literate management pays better dividends to all concerned and may put the whole region on its economic feet. They may even teach the white "Delta lord" who said: "The cotton I kin raise on that two acres is worth more than all the damned nigger schools in Mississippi."

5-29-49

Usual Cry Doesn't Fit

SOME are going to raise the standard criticism that Sprigle has stacked the cards against the whites. But it isn't true. He has shown Negro crooks and bad men. The trouble is that in any master-slave society the evil of despotism so perverts and corrupts the "masters" that the "slaves"—even the worst of them—appear like pure angels by comparison. The oppressors in a sense need education and democracy as much for their own salvation as the oppressed.

5-29-49

Sprigle has shown that the reporter can be a public servant, a teacher, and a thrilling narrator. Just look in on him as he is baby-sitting with little Tommy, son of a Negro educator. Back home, he thinks, his own kid is much like Tommy. Inevitably he envisages how easy things are going to be for the little white girl in Pennsylvania: the right color, the best schools, the ballot.

Then Tommy cried in his sleep. Ray Sprigle stood at his bed watching. "It's selfish, I know," he said. "But by God I'm glad my young one is white."

Writers, Publishers, And The Great Taboo

John Temple Graves In Client Papers

ALABAMA writers, in conclave at the University, are worth their advance notices. They may have been nominated for something. Hudson Strade, Frances Parkinson Keyes, Clement Wood, John Craig Stewart, Douglas Fields Bailey, Edward Bounds, Luther Patrick, Martha Shillito, Mary Ward, Eleanor Bridges and other brave names appear on the unusually fine program, but the most significant name comes last—Bertram Lippincott, New York publisher, who delivers the principal address at the closing banquet Thursday evening.

Mr. Lippincott's title is "The Publishers' Role in Writing." He won't have to belabor his point to convince Southern writers the role is immense insofar as they are concerned. To an enormous extent it has determined not only what they write but the history of the South. And in general, these publishers, most of whom live in New York, have done very great harm to the South and to Southern writers. They have done it with a Great Taboo against what was of good report about this part of the country or even objective. They have put a national party line about the South above both art and truth in publishing.

Editorial

EDITOR NORMAN COUSINS wrote the other day in the Saturday Review of Literature that the Negro himself, itself, doesn't cut the same ice as Catholics or Jewish protest" against free portrayal. But Southern writers who have been refused national publication because they used Negro dialect or showed Negroes as servants or (horrible dictu) hint the Southern conviction that segregation is inndispensable to peace and order between two great masses of population in the South—know better.

A current extreme example of the inartistic and the untrue in publication is Ray Sprigle's incompetent and discredit "In the Land of Jim Crow." Simon and Schuster (who are also Margaret Halsey's publishers) have put this book out and are advertising it in the author's own false description of Negro life in the South as all cringing and fear. "For four fear-filled weeks," the Simon and Schuster advertisement tells the nation, "Ray Sprigle ate, slept, traveled, lived black. . . . He saw and listened and learned and cringed . . . This book contains the whole shocking, almost incredible story of how, for ten million American citizens, the American way of life is nothing but a pipe dream."

Thu. 6-16-49

All of us who are decent and open-eyed know the Negro's life is capable of very great betterment in the South. But to make it out, as Sprigle and his New York publisher do, that the average Southern Negro lives in fear and in awful danger of his life is so wanton and monstrous a lie that you could wish every Southern Negro would read the book and the advertisement to see for himself the unreality of the picture drawn. This column, for one, doesn't care how much Southern advertisement it gives the book, because no Southerner, black or white, can read it without recognizing the ridiculous and tragic falsity of it. (The danger, indeed, is that in reaction to such untruth the true need and underprivilege of the Southern Negro may be discredited.)

The national book publishing business did the South a good turn when it began to ignore the Southern school of moonlight and magnolia in favor of Southern realists. It was good, too, to have Southern sin and backwardness made a specialty of Southern writing at a time when the national depression was inviting attention to a whole country's sin and backwardness. It was even good, for a while, to have a school of Southern writers given wholly to misery, depravity, mud and minus signs in those days when the national fashion was all filth and introspection.

6-16-49

BUT it has not been good to end up, as lately, because of the combined pressure of national socialists and organized minorities on national publishers, with a veritable taboo against publication of anything about the South that spoke of health or undertook the point of view here. It has not been good to have talented Southern writers believe that unless they went in for the filth, misery, and depravity here they could not hope for a publisher.

It could be that times are changing and that the Sprigle book is the last, as it is the worst, expression of the long taboo against Southern actuality in favor of a national minority party line. Time Magazine, a long and leading offender, has an amazingly factual, objective story this week of the moronic lynching in Georgia last week, and even concludes with admission that many white Southerners are proposing to treat the Negro fairly and helpfully even though determined that there must be segregation. Other national print is beginning to take a second look. It may well be that this is another good result of the up-speaking and emancipation which Southerners went in for last Summer in the States Rights movement.

Perhaps Mr. Lippincott will confirm a dawn of art and truth and objectivity in publication as regards the South when he speaks Thursday night. That is why I say our Southern writers may be in nomination for something new. They may find themselves suddenly free to write about the South as a land of vitalities, promises, imagination, objective human interest, and occasional health.

RALPH McGILL

Atlanta Constitution

You Can See Where We're Headed

Atlanta Georgia

Mon-2-7-49

More than 1,000 persons drove up into Union County, where Georgia joins with North Carolina, to see Grady Satterfield's cornfield in 1948. The year before maybe 1,000 more had seen it.

Grady Satterfield is a mountain man, short and heavy of shoulder and chest, who grew 173 bushels of corn on an acre of land in 1947 and who swears he would have hit 200 this year if a wind hadn't blown out of the hills and flattened some of his corn. As it was, he got 151 bushels. He has a fine face and a pair of young blue eyes that reflect his mood.

His mood is happy and proud. So was the mood of the 122 other mountain men, most of them from Union and Fannin, who had grown more than 100 bushels of corn to an acre last year. The University of Georgia Extension Service had them to a luncheon for presentation of the silver keys and certificates of the Corn Club. This year Willard Dills led with 170 bushels.

Deeds It was an exciting meeting. It always is stirring to be around accomplishment and men who have done outstanding things. And, in their field, these men had done something which our people in the South have been saying for years—that you can't grow corn in the South.

But, 24 men had done it in 1947 and last year 223 did it, and this next Spring there will be thousands more going to look at their fields and getting back home to figure on having a try at it on their own. We are going to grow corn.

Excitement This is an exciting State. It is one which sickens a man with some frequency, when it comes up with something like the killings in Walton, Montgomery and Toombs Counties, for example.

You can't forgive them or forget them. And it does no good to try and blame it on the Yankees or on newspapers or magazines. They are a part of us, but they are a less and less frequent part of us. They come, inevitably, out of a certain background and out of a certain history and tradition and they will keep coming, slower and slower but still coming, until we have cut them out of our being with the knife of our own will and our own character. And that's what we are going to do.

Change One can see the change taking place. It is not apparent every day or everywhere, because it is a process which is taking a long time since we are in a period of transition from the old ways and the old poverty to the new ways and the better economy. That's why the South is a place of perpetually unfolding promise. The change is going on, so slowly it is almost maddening, but it never stops, and one day it will break through (though there are days when you think it will break your heart instead).

Middle West It is already pretty plain where we are going. We are heading toward a Middle West economy, but it will be greater than that good region has ever known. We are becoming a land of grass, cattle, dairying, poultry and livestock and hogs.

Mon-2-7-49

Already, here in January, there are many pastures, where none was 10 years ago, where in the coldest Winter month we have, a man can walk through lush grass which comes halfway up to his knees. We can have June pastures in January.

You don't want to be like the Pharisee and, walking on the side of deep grass and good weather, look at the poor devils whose cattle are freezing and starving on the great plains of the Western States. Those States will always carry cattle. But at least some of their people are going to see what can be done with our lands, growing nothing since the boll weevil took the cotton, and waiting to be put to grass and the new hybrid corns. Corn is a part of that picture—for cattle, hogs and poultry.

Soil We are learning new things about our soil. Before all of us learn about lime and phosphate and nitrogens, others have gone on to learn about the minor deficiencies. A little copper—as little as a few pounds to the acre—will sometimes increase a crop as much as five or 10 percent.

Australia, where there are 10,000 square miles of wasteland, is humming with excitement. Five years of research brought forth the fact that 80 cents worth of copper sulphate and zinc sulphate, mixed with the ordinary superphosphate put on each acre, would turn the soil into rich land that would produce fine grasses and clovers. We had that dramatic lesson when we learned that a little borax would make alfalfa grow where none grew before. We are making other, similar, discoveries.

We have just begun to learn. We are not making history. We are unmaking our history of cotton and its plantation system and we are moving toward a development which will make our region pulse with a prosperity it never dreamed. That isn't going to happen tomorrow. But it is in the process. You can see it if you look for it. And we'll come out of it minus our old deep infections that, now and then, poison us and make us sick of ourselves and our ways.

We Must Do More

Birmingham News

Noted Editor, Virginius Dabney, Outlines What South Should Do To Help Negroes

BY FRED TAYLOR

Birmingham Alabama

Virginius Dabney, angular, Pulitzer prize-winning editor, says the South must do more for its Negro citizens ... to tell the A.E.A. here just what he thought the South should do.

Dabney had merely called on fellow Southerners in general terms for "constructive, far-reaching solutions of our own racial, political and economic problems."

However, he wasn't specific. He didn't put his finger on what Southerners, who have done and are doing much for the Negro, should do in the future.

Before the personable Dabney returned to Richmond, where he is editor of The Time-Dispatch, I sought to draw him out on just what he would recommend.

Tues-3-29-49

TAYLOR

* * *

AGAINST FEPC—He was completely frank. He told A. E. A. convention he is against such radical legislation as the FEPC, because he thinks it unenforceable.

The Richmond editor pointed out the FEPC laws in New York, Pennsylvania and other states having them are violated every day.

He reemphasized what he had told the teachers—that he regarded President Truman's "civil rights" program ill-advised and harmful in many ways.

But there are things the South can and should do for the Negroes, he insists. His point was that it is much better we make "reasonable concessions" ourselves rather than have them shoved down our throats.

* * *

VOICE IN GOVERNMENT—One of the first things the South should do, Dabney contends, is to give the Negro a voice in local governments.

"Put him on city councils, on boards of education," advises Dabney. "Negroes comprise about one-third of our population. It seems to me Negro citizens ought to be represented on our governing bodies— at least have a voice in our government affairs—and participate actively in democratic processes."

Richmond, capital of the Confederacy, already has done what Dabney recommends other Southern cities do. It has elected a Negro from the city-at-large to its nine-member council.

The editor explained all nine members were elected from the city-at-large last year when a manager-council form of government was installed. It replaced the Virginia capital's archaic, bicameral (30-member, two-chamber and mayor) form of government.

Tues-3-29-49

The Richmond Negro councilman is Oliver Hill, an attorney. Dabney says the new form of government is functioning "very satisfactorily." Hill, he adds, is "doing a very good job" on the council and working harmoniously with the eight white members.

* * *

RALEIGH DOES IT—The Virginia editor points out that Raleigh, capital of neighboring North Carolina, has followed Richmond's lead in granting recognition to Negroes.

He says that city recently placed a Negro on its school board.

"The Negro is clearly entitled to better education, health and welfare facilities," insists Dabney. "There are Negroes in every Southern city who are qualified to serve on municipal governing bodies and education boards.

"The Negro is becoming better educated, has acquired a civic consciousness and feels he ought to be privileged to have a voice in his community's affairs. And he should.

"Much has been done for the Negro. But we are not meeting our responsibilities until we do a lot more.

"Yet, it seems that most Southerners have closed their eyes to the fact that the Negro desperately needs more help and it is their obligation to provide that help."

* * *

DECRIES RADICALS—Editor Dabney decried activities of extreme radical Negro leaders, such as Walter White, of the Association for Advancement of Colored People.

"I'm definitely not in sympathy with these extreme radical Negro leaders," he said. "They want to shoot for the moon and get FEPC. They are on the wrong track. They are hurting their cause."

* * *

BOOST REGIONAL SCHOOLS—The Richmond editor is a strong believer in regional schools, such as that Southern governors recently planned, to provide higher educational facilities for Negroes.

He thinks such schools not only would meet needs of the South, but advocates them for other sparsely settled sections of the country.

Dabney points out some Negro leaders strongly object to the regional schools. They say it is perpetuating the pattern of segregation. And they feel it postpones the time when Negroes can gain entrances to white institutions.

Dabney agrees that segregation should and will be maintained in the South.

"I certainly don't see any likelihood of Negro students being generally admitted to Southern colleges," said Dabney. "These regional colleges should be developed to provide medical and other higher educational facilites for Negroes."

* * *

NEGROPHOBES AGGRAVATE PROBLEM—Dabney says Negrophobes and other extremists among white people are a great hindrance to working out a sensible, reasonable program to aid Negroes.

He is for states' rights. But he warned those plumping for this movement against turning it into "a road block to progress."

"The South can't be against everything and for nothing," emphasized Dabney. "We've got to offer a positive, helpful program of our own."

Jersey Leader Lauds South's Racial Theory

He Tells Jaycees Laws May Not End Problem; Wilbur Nolen Elected

Montgomery Advertiser

By JOE AZBELL

The South's theory for solving racial problems got a pat on the back here yesterday—from a New Jersey Yankee.

Alvin A. Burger, Short Hill, N. J., told the Alabama Junior Chamber of Commerce convention that New Jersey, New York and other Northern industrial states have been trying to improve racial relationships by passing laws.

"Many of us are beginning to doubt the efficacy of this method," he said.

Burger is the research director of the Council of the State Chambers of Commerce of the United States.

Wins Award

Earlier in the convention sessions, Montgomery copped the state traffic safety award and placed one local member as a vice president of the Alabama Junior Chamber of Commerce.

Wilbur Nolen, Montgomery, backed by a strong delegation, was elected vice president of the group.

Watson Moore, Shawmut, was elected president. Bellaire Krudop, Andalusia, D. P. Stroup, Birmingham, and Tom Rogers, Florence, were also elected vice presidents.

Elton Johnson, Greenville, and Charles McNeil, Mobile, were named national directors of the United States Junior Chamber of Commerce.

"You seem to have learned certain essential things about living together in harmony," Burger told the Alabama Jaycees.

"Despite what we in the North are told constantly by our editors, playwrights, and our organized 'do-gooders,'" he said, "one learns that you are not satisfied with the status quo but are endeavoring by most sensible means to improve the economic and social well-being of all your people, white and Negro."

Burger said he has been studying the ways Alabama is moving ahead industrially and commercially since he attended an annual meeting of the State Chamber of Commerce at Mobile last November.

Cites State Gains

"When I returned home," he said, "I told some of our state officials and civic leaders that I was just about convinced that New Jersey, not Alabama, is the more backward state."

"We fear that laws such as New York, New Jersey, and other Northern industrial states have been using in an effort to improve racial relationships may impede the very objectives they seek to obtain. Such laws breed hypocrisy among our employers, labor leaders, workers, home owners, educators, public officials, and even the organizations of the 'do-gooders' themselves."

"The only ones who really profit are the politicians who thrive on division and strife among racial, national, and religious groups."

Burger had words of praise for the Mobile School System which he inspected on his last visit in the state.

"I was greatly impressed with the schools there," he said. "The best of them compare favorably with any schools we have in my state, and we rank second among the states in financial support of public education."

"The poorest schools in Mobile were, indeed, pretty humble edifices, but I noticed two things even in them: The buildings were kept immaculately clean; and the principals and teachers seemed imbued with a missionary zeal for their work which was wonderful to behold."

JUSTICE THINKS SOUTH SHOULD ASK SYMPATHY

Don't Recriminate Against Attackers, He Says

Special to The Commercial Appeal

UNIVERSITY, Miss., March 26.—The South should struggle for sympathy and understanding in its efforts to drive off the "devils of bigotry, of intolerance, of prejudice and of passion," instead of making recriminations against its attackers.

That's the opinion of Joseph C. Hutcheson of Houston, Texas, chief justice of the United States Fifth Circuit Court of Appeals, who spoke at the third annual Southern Law Review Conference here Saturday night.

He told 70 delegates of 14 Southern law schools that law reviews should not only criticize the courts but legislative decisions as well, so that there will be no radical departure from principles of the common law which guarantee individual liberty and freedom under the Constitution.

Saturday afternono W. N. Ethridge Jr., professor of law at the University was elected chairman of the conference. He succeeds T. A. Smedley of Washington and Lee University.

In the Saturday night address the justice asked, "Have we not in these United States one law, the law of the Constitution; one faith, the faith of our way of life and our destiny; one baptism of fire"

He praised the universities and people of the South. "Let my words not be words of anger or resentment but words uttered in favor of broader tolerance and better understanding of our common problems."

He said the principles of American Law must not be substituted for by statutes representing the will of a temporarily dominant minority. He said law reviews have not only a past but a future in education for law and in the practice of law.

Chase Says South's Need Is Education

Declares It Can Remove Congress Demogogues

The best way to remove the Southern "demagogues" from Congress is to improve the quality of Southern education, Dr. Harry Woodburn Chase, Chancellor of New York University, said Saturday. He did not name the "demagogues."

Dr. Chase, who was president of the University of North Carolina from 1919 to 1930, said that "the whole secret of the South's backwardness" lies in the inferior quality of its schooling. "There is nothing inherently wrong with Southern people because they come from fine stocks," he said. He suggested that Federal aid would improve Southern education but warned of the danger that Federal control might be imposed.

He spoke at a luncheon at the twenty-second annual convention of the Commercial Education Association of the City of New York and Vicinity at the Waldorf-Astoria.

Miss Alice Ottum, dean of Pace Institute, 22 Broadway, was elected president of the association. Other newly-elected officers were Solomon C. Steinfeld, chairman of the accounting department of Franklin K. Lane High School, first vice-president; Mrs. Ella S. Salitan, chairman of the department of secretarial studies at Prospect Heights High School, second vice-president, and Morton Fuchs, teacher of accounting at Jamaica High School, treasurer.

South Must Move Forward

BY TOMMY H[illegible]
News Staff W[illegible]

SYLACAUGA, Ala., Feb. 11—The South cannot be isolated economically or politically, it must move forward with the rest of the nation, former Gov. Chauncey Sparks told the Sylacauga Exchange Club.

"We have lived through a period of great change," the former governor asserted yesterday. "There have been changes in industry and agriculture. The South has kept pace with these changes. Now we are going to have to make changes in our political structure."

Sparks said the so-called civil rights menace to the Southern way of life had been grossly exaggerated by people who had not even read the plank of the Democratic Party.

"These Northern Democrats are a pretty nice bunch of guys," he said. "We need to show them our cause and our problems. If we can do this, I am sure we can retain our way of life, yet be just and fair to all racial minority groups."

* * *

DECLARING THAT he was not now a candidate for anything, Sparks said he was in favor of racial segregation. He said he believed members of both races favored it.

"I believe the South can work out a plan under which the Negro will be provided equal opportunity, yet retain segregation.

"We cannot hide misconduct behind the shield of states' rights," the former governor added.

"The South can prosper only under the banner of a national party," Sparks continued. "We must go along with the Democratic Party, for we are all Democrats.

"While we were dogfighting among ourselves during the campaign, the Republicans thought they would grab the bone and run off, but this didn't happen."

HE SAID THERE were certain duties that were better handled by the federal government. He gave as examples, requests that are made to Washington by the states for funds for roads, hospitals, schools and electricity.

The former governor quickly added that he was not in favor of a top-heavy federal government, as the states had certain rights guaranteed them by the constitution.

"I still contend," he said, "that the best governed people are those who are least governed."

Sparks was introduced by Jep Grier, local newspaper man.

Hopeful View

To the Editor:

The writer wishes to comment on the editorial, Hopeful View of the South," in The News. You were praising the expression of Dr. F. D. Patterson, president of Tuskegee Institute.

I wish to say that if education of the white people makes better citizens of them, then why won't it make better citizens of the Negro population?

The writer is 78 years old, and has lived in Birmingham since 1885. I have voted the Democratic ticket and paid taxes on real estate as well as other taxes since 1893. I have seen and known of many hideous crimes committed in our city and the major portion as well as most awful crimes have been committed by white citizens. In the past six months there has been an excess of terrible crimes committed by white teen-age boys all over the country, and not nearly so many committed by the Negro. Could it be the Negro population is gaining in knowledge by better education more than our white population?

I have worked with and have worked Negroes all my life and have had far less trouble with them than I have with the same number of white laborers.

The Negro is a Southern product and really belongs in the South. He is a human being and is entitled to a fair deal, and if good people of the South give the Negro a fair deal and not try to use him to promote our own selfish interest, I am of the opinion he will still improve and continue to become better citizens.

W. C. BROWN.

1220 Princeton Avenue.

A Hopeful View Of The South

It is now widely recognized in the South that further progress in racial relations depends very largely on continued improvement of economic, educational and political opportunities.

Surely our people generally recognize the validity of fundamental human desires for individual welfare and progress. As Negroes find better conditions in which to raise their living standards, to extend their education and to exercise rights and meet obligations as citizens, the tensions between the races are certain to be reduced.

Such progress has been marked in the South in recent years and provides hope and stimulation for additional gains.

These realities are forthrightly recognized by Dr. F. D. Patterson, president of Tuskegee Institute. In Mobile this week he said that he is "confident that a solution of racial problems in the South will be reached by mutual understanding and good will."

He expressed the view that "there is a growing understanding and good will on the part of Southern white people in behalf of providing education and other citizenship rights, including voting, for our Negro citizens.

"The growing attitude," he continued, "seems to be born of a realization that Negro people, when given proper opportunities, want to be good citizens."

He believes that the people of this region can solve their problems without outside assistance, that "there has been

some rabble-rousing and caustic criticism not deserved by the South." But he points out—and soundly—that racial and other inter-group relationships have national implications, that there are racial problems in all sections of the country, that the South cannot be isolated.

"There is every reason," he asserted, "why the different sections should be mutually understanding."

This is a sound and constructive approach to problems that are inevitably difficult and complex. Their solution will not be promoted by incitement, or indifference or failure to recognize conditions that call for the utmost corrective efforts.

There is much to give encouragement in the forward steps that have been taken in recent years. Minimization of such advances will not speed, but will retard, further advance.

On the other hand, pressing problems still exist. There is no justification for complacency or apathy with respect to them. Such an attitude generally is attributable to lack of understanding of limitations and inadequacies and injustices that still exist. Informed awareness of such conditions makes for a positive will to do something about them. Education about these problems and mutual exchange of ideas as to their solution still have a far way to go.

The South Is Coming Into Its Own

Editor's Note: The British writer of the following recently visited Atlanta and other Southern points while on a tour of this country. This article appeared in The London Sunday Times.

One learned in the nursery to hate the wicked Southerners. Later, the impression made by "Uncle Tom's Cabin" was confirmed by the tales about lynching and by such absurdities as the "Monkey Trial" at Dayton, Tenn. Most of the Americans one came across in Europe before the war were from the North, and in New York itself one finds astonishingly few people who have ventured farther south than Washington. "Going to Louisiana, and in July? What on earth for? You're crazy!" my friends declared. But very quickly New Orleans began to dispel the prejudices of a lifetime: it is the American city in which a European feels most immediately at home.

The more I saw of the South, the better I liked it. The creeks of Louisiana, with drifting islands of flowers, and cypresses draped with long veils of Spanish moss; the red earth of Georgia and the Carolinas; the vast Tennessee River, subjugated by monumental dams among lushly wooded hills; the colonnaded plantation houses with their avenues of oaks or magnolias above the levees of the Mississippi; the campus of the University of Virginia, designed by Jefferson, as happy and complete an architectural composition as anything Europe can show; the velvety, voluptuous night-sky and the leisurely pace of daily life; all these predispose to sympathy. Southern manners, like Southern women, are proverbially beautiful; cooking is venerated as a civilized art (like golf in the North); and Southern hospitality, one soon learns, more than deserves its reputation. Everywhere in the United States the visiting Englishman meets with a welcome almost embarrassing in its generosity, but in the South anti-British feeling is absent even from the newspapers. Concern about the Russian menace, I may add, seemed there to be specially intense: Southerners know from cruel experience what it means to be defeated.

Racial prejudice? Illiteracy? Child labor? Wretched housing? Disease? Yes, the South suffers hideously from all of these. One must not be blinded by the charms of a lingering aristocratic tradition. The vicious circle is complete: poverty makes health and education bad; bad health and bad education perpetuate poverty. Indigence in the United States is the misfortune not of a class but of an area. To what is this due?

Southerners cannot be acquitted of all responsibility. They have despised manufacturing as ungentlemanly. They have impoverished their soil by an excessive planting of cotton, a most destructive crop. (Of the 150,000,000 acres of eroded land in the United States, half are in the Southeast.) The poorer white people, moreover, have blamed their misery upon Negro competition, and mutual mistrust has prevented the two races of victims from uniting to defend the common interests of their region. Northern criticism, especially from "liberals," has merely encouraged Southerners in a nostalgia for a romantic past, and the optimism that is an unofficial religion in America further indisposes them to face and to diagnose their distresses.

It is chiefly, however, the North that has imposed poverty upon the South (though most Northerners are blissfully unaware of the fact). The victors in the War Between the States continue after more than 80 years to exploit the territory they conquered. The South is rich in sulphate, phosphate, bauxite, oil and natural gas, as well as in land and lumber. It has ample supplies of coal and iron. It includes more than a quarter of the population and the area of the United States. Yet it produces less than a seventh (in value) of the manufactures. The oil, steel and chemicals are mostly owned by the North, and the profits from the other raw materials go mostly to the North, where they are processed. As Mr. Ellis Arnall proclaimed when he was Governor of Georgia, the Southern States have been treated "as colonies for exploitation."

To stifle manufacturing in the South, the North has used four instruments: capital (a borrower must pay higher interest in the South); patents (the North owns the rights to most industrial processes); high tariffs (the South has to buy Northern goods at tariff-inflated prices, but itself makes few articles that benefit from protection); and, most indefensible, differential freight rates (railways charging a higher price to carry finished products from South to North than from North to South).

This last iniquity dates from the vindictive and rapacious "occupation" of the South by the North after the War Between the States, when most white Southerners were disfranchised. It has acted, no less effectively than an internal tariff would, to protect Northern manufacturers from Southern (and also from Western) competition. "Domestic free trade is essential to post-war America," as Gov. Arnall declared when Georgia took action against these freight rates, and in 1945 they were at last declared illegal. The decision has not yet been fully implemented. Nor did it excite much alarm among the great Northern manufacturers; they had already begun to establish factories in the South, attracted by the cheaper cost of labor and the smaller need for fuel. Though this has enlarged the pay roll of Southerners, the profits from their labor are drained to the North.

Relatively to the North, the South today remains as poor as ever. But absolutely its recent progress have been signal. In the last 10 years the average Southern annual income has risen from $315 to $797. (This, of course, reflects inflation as well as increased production.) The war introduced new industries, and has left capital available for further enterprises. Cotton is being widely replaced by other crops and livestock, to the great advantage of the soil. Health is improving. Racial prejudice grows less violent. In the Armed Forces some of the young came to perceive that it was incompatible with the democracy for which they were risking their lives. It is indeed in the North and West that the color problem threatens now to become most acute. A cotton-picking machine is coming into use. For this and other reasons, at least 3,000,000 Negroes are likely within the next 10 years to emigrate from the South.

It is only a section of Northern business that profits from the colonial economy imposed upon the South. The makers of motor cars and refrigerators, for instance, would find a vast new market if the Southern agriculturalist attained the high standard of life enjoyed in the North alike by the farmer and the artisan. Purchasing power has already been multiplied in the area made prosperous by the Tennessee Valley Authority, and it must be only a question of time before a similar prosperity embraces other parts of the South. The Americans are the most energetic, generous and buoyant of all peoples. They will no longer allow a quarter of their country to endure conditions of life that are profoundly un-American.

RACIAL PROGRESS REPORT OUTLINED

Stennis to Present Data On South's Advance

(The Associated Press)

Washington, March 6 — Is the South making progress toward a solution of its Negro problem?

Yes, says Sen. Stennis (D-Miss.).

And he has assembled information which he says shows this progress quite clearly.

The trouble, he says, is that the rest of the country is not aware of this progress and holds erroneous beliefs and convictions about conditions in the South and the problems which beset the area.

There is a great tendency, he says, to point an accusing finger at the "backward South."

As a result, he contends, there is pressure to thrust abrupt and far-reaching "reforms" on the South and obscure the fact that the "real issue" is economic progress for the South.

In this pressure category he places the so-called civil rights program, which he stoutly opposes as one which would harm, rather than further the cause of the Negro.

Stennis wants the rest of the country informed of the South's "affirmative program which has obtained marvelous results, particularly during the past two decades."

To this end, he is readying a "Southern progress report" to the nation.

This report is based on information from the 13 Southern states. It will be made to the country in an address to the Senate about mid-March.

The report shows, Stennis said, that the Southern states have taken many steps, not just an isolated few, to give Negroes better educations, improve their health, encourage them to be better and more prosperous farmers and aid them in advanced training.

Stennis told a reporter:

"The reports which I received on recent Southern progress are encouraging signs that the South will take direct advantage of every economic gain to better the welfare of all of its citizens.

"Aid in improving our economic position is what the South needs, not misguided direction."

A Georgia-Born Southerner Speaks

We present this rather extensive summary of Dr. Odum's program for solving the ills of the South, in contradistinction to the drivel held forth by Dr. J. W. Holley, deposed president of the Albany State College, who, for the sake of expediency, runs amuck with logic, commonsense public morality and enlightened self-interest when he proposes less than a half-loaf for his people.

A Georgia-born Southerner, Dr. Howard W. Odum, has come forth with a concrete program which, if followed will emancipate the South and will bring happiness for the Negroes and whites alike. Here are his 21 points:

"1. Obey decisions of the U. S. Supreme court on all qualified matters" and not merely those we choose to obey.

"2. Adjust itself to National Civil Rights legislation. The American voters want these rights and so expressed it in their votes for Truman.

"3. Stop, at all costs, prevailing lawlessness by violence and by evasion.

"4. Continue progress for all and permit access to all resources of the South.

"5. Improve race relations and equalize educational facilities for all people.

"6. Provide graduate and professional instruction for qualified individuals of both races in the same institutions.

"7. Continue agricultural, economic and industrial progress, and the conservation of natural resources.

"8. Continue progress toward public services.

"9. Help all southerners see the justice of today's normal wants of Negro people.

"10. Help the Nation to understand the problems, human, political and economic in changing a bi-racial civilization rooted in two centuries of growth.

"11. Change over from a segregated to a non-segregated relationship in many practicable areas such as transportation and other public services.

"12. Guarantee opportunity for all citizens to vote without hindrance, and to eliminate the poll tax.

"13. Work for effective legislation toward the sure elimination of lynching.

"14. Do all these things calmly-in a climate void of sectional thinking or name-calling.

"15. Undertake a comprehensive, scientific inventory of the South and the Nation so as to provide specifications for future, in which compromise and costs of conversions from general segregation to attainable programs may be examined, revised, and adopted.

"16. This too, should be approved with calm, culture and political maturity.

"17. A willingness to re-examine the basis of the southern credo as a substitute for protest, bitterness and secession-mindedness. 2-2-49

"18. In the face of bitter attack and vested frustration we must have protect the great mass of Negroes from outsiders who would weaken or destroy their extraordinary systems of schools, churches, industry and self-developed programs which have amazed the world by their mastery...

"19. In this transitional era, stop, through wholesome methods, the almost universal frustration of Negro youth growing from ideologies of despair, bitterness, hate, and aggression; and through interracial cooperation to substitute hope based on both promise and actuality.

"20. Stop being afraid of democracy. Thousands and hundreds of thousands of southerners are saying in substance, "Let's try some of these things out; maybe they'll work, but if not we'll keep on trying.". 2-2-49

"21. Finally somehow to stop this intersectional bitterness and to do the job before us in spite of all the complexities and culture immaturity of many groups."

Must Give Negroes A Square Deal

Atlanta Daily World

(An Editorial)

FROM JACKSON (MISS) DAILY NEWS

Atlanta Ga

Gov. Fielding Wright is quoted as saying that he favors the importation of displaced European workers who will fit well into our industrial and agricultural life—people to replace Negroes migrating Northward.

Sat. 2-19-49

The Governor's proposal is dubious. He ought to do some clearer thinking through on the subject.

Instead of planning for importation of European labor it would be much better for our industrial and agricultural leaders to put on their thinking caps and see if better living and working conditions cannot be provided for Negro labor being tempted to move to industrial centers in Northern and Eastern states. Sat. 2-1949

Meaning specifically that our Negroes, who are more efficient in nearly all respects than any displaced persons we are likely to get from Europe, should be provided with better schools, homes and living condition.

We must frankly admit among ourselves that we are not giving the Negro a square deal in these and some respects.

We know, as a matter of cold truth, that Negroes generally speaking, are better adapted to work on our farms and in our factories than are the homeless and poverty-stricken persons in Europe who cannot speak our language and do not understand our ways.

Atlanta Daily World

Let's be perfectly fair about it.

Our Negroes have been migrating to Northern industrial centers in order to better their own conditions-something all human beings have a right to do.

If we are losing this class of wealth producers—and the Negroes really are our chief wealth producers—it is our own fault. We should have been according them better treatment in the way of better wages, better schools and better living conditions. Sat. 2-19-49

It is not too late to stop the migratory movement.

Negroes generally speaking prefer to live in the South. They like our genial and kindly climate. They get along more amicably with the Southern white people than they do with Northern folks.

Let's be truthful among ourselves.

We need our Negro citizens.

We should do all within our power that is reasonable to keep them among us.

We should not seek to keep them subservient.

We should give them a fair chance to better conditions for themselves and their families.

In our industrial centers we should see to it that they have parks and playgrounds, swimming pools and recreational centers, just as we provide for white folks.

We should see that they get better hospital and medical care.

No matter how badly they may be needed to till our crops and work in our factories and various other forms of employment, many thousands of the Negroes who have left Mississippi for points above the Mason-Dixon line are not coming back to their home state unless forced to do so by an era of depression and unemployment. That heavy economic loss we have suffered is permanent.

Therefore, we should be doing our best to keep what we have left; we should strive to make the Negroes who work for us more contented with their surroundings, pay them wages commensurate with the work they perform, and strive in every way possible to cultivate more friendly relations between our races.

As for the displaced persons in Europe, this nation is now doing all within its power—and much more than many think we should be doing—for their rehabilitation. We are pouring multiplied billions of dollars from our coffers into a dozen or more European countries to prevent starvation and to bring about the establishment of orderly government among their people.

But we can't do everything for them they are now asking and expecting.

We can't always be their nursemaids and financial backers. Sat 2-19-49

Instead of worrying about displaced persons in Europe we ought to be doing a lot more worrying about our industrial and economic conditions here at home, with especial reference to racial problems that we must face squarely and courageously and deal fairly with those who earn their livings in the sweat of their faces and who are in the chief producers of our material wealth.

Mississippi has urgent need of her citizenry, both white and colored. We should hold fast to what we have rather than seek the migration of aliens whom we do not understand, and who may never learn to understand our people and their way of living.

The South

South Doing Better By Negro—Stennis

Birmingham News

BY GORDON BROWN

WASHINGTON, March 5—(AP)—Is the South making progress toward a solution of its Negro problem?

Yes, says Sen. Stennis (D., Miss.) And he has assembled information which he says shows this progress quite clearly.

Sun. * * 3-6-49

THE TROUBLE, he says, is that the rest of the country is not aware of this progress.

Birmingham Ala.

There is a great tendency, he says, to point an accusing finger at the "backward South."

As a result, he contends, there is pressure to thrust abrupt and far reaching "reforms" on the South and obscure the fact that the "real issue" is economic progress for the South.

In this pressure category he places the so-called civil rights program. He stoutly opposes it as one which would harm, rather than further, the cause of the Negro.

Stennis wants the rest of the country informed of the South's "affirmative program which has obtained marvelous results, particularly during the past two decades."

* * *

TO THIS END, he is readying a "Southern progress report" to the nation.

This report is based on information from the 13 Southern states. It will be made to the country in an address to the Senate about mid-March.

The report shows, Stennis said, that the Southern states have taken many steps, not just an isolated few, to give Negroes better educations, improve their health, encourage them to be better and more prosperous farmers and aid them in advanced training.

The information on which Stennis bases his report came from the governors and various departments of the Southern states.

* * *

HIGHLIGHTS of these state-by-state reports included:

MISSISSIPPI—Services rendered by the State Board of Health and County Health Departments are offered equally to all races. There has been a big reduction in Negro deaths from contagious diseases. With the state's 2,200,000 population almost equally divided among whites and Negroes, the school enrollment for the 1946-1947 school year was given as 277,557 whites and 269,405 Negroes. The Agriculture Department told of outstanding Negro farmers owning and managing many Delta farms and of an increase in the number of Negro families benefitting from electricity, gas and running water.

* * *

ALABAMA—Enrollment at three Negro colleges has increased from 2,420 in 1937 to 5,110 in 1947, with the salary range up from $636-$3,000 to $1,350-$5,000. Of 124,000 4-H Club members, 38,047 are Negroes. "The climb of the Negro tenant farmer in Alabama has been a steady one," reports the state. "In some instances the Negro tenant has made more progress than the white tenant."

State Labor Director Raymond R. Wade reports that during the war some companies wanted to pay different wage scales to Negro and whites but that he put across his view that "a job is a job regardless of who is doing it and the price set up for it should apply whether a white or a Negro is doing that job."

He said he found that Negroes and whites work together in some cases and have mixed unions and meet together "but when they leave their jobs or meetings, neither would think of going home with the other. This, in my opinion, is in itself proof that the Negro in the South is not in the least interested in so-called social equality. He is interested in bettering the condition of his own race."

Sun * 3-6-49

FLORIDA — Former Gov. Caldwell reported that Florida "has made great progress in all directions and for the benefit of all of her people during the past two decades. Undoubtedly the greatest relative advances have been made by the Negro race." He cited gains in health and education and said Negroes "are found in practically all trades, skilled as well as unskilled, in the professions and in agriculture. This progress can continue apace if our state is not hampered by outside influences.

LOUISIANA—State wrote that "increasing opportunities for better living" is being offered Negroes through the educational, health, agricultural and other state agencies. The agriculture Department reported that all the latest developments in better farming methods are available equally to whites and Negroes.

TENNESSEE—Emphasis on farm program in Tenneses as a majority of the Negroes live in rural areas. State reported "there has been a noticeable improvement not only in the homes but in the health of the people. They are learning that proper food has much to do with good health and better living. . . . Negro farm families, as a rule, are located in the poor sections of the state but in recent years there is a noticeable improvement and a better understanding of how to take care of the soil.

Sun * 3-6-49

B'NAI B'RITH HITS SLAYINGS

Atlanta, Ga.

Press, Clergy of South Lauded for Race Stand

The Constitution

Sun. 1-2-49

"The press and the clergy" yesterday were credited with being "the two most important factors in helping the South to move forward in 1948 and to make important strides toward resolving its problems of group tension."

That accolade came from the Southeastern Regional Office of B'nai B'rith's Anti-Defamation League. In the fourth annual report of the Office released by Director Alexander F. Miller, the League declared:

"It is our conclusion that the South has made important strides forward during 1948 towards resolving its problems of group tension—despite a great deal of Klan activity during the year, centered for the most part in the State of Georgia; wanton murder of several Negroes without punishment being accorded to their killer; blasting denunciations of the South from sensation-seeking journalists like Ray Sprigle, of Pittsburgh, and despite the heat generated by the national election and the Civil Rights controversy."

The League lauded the press and clergy, pointing out, "Wherever the Klan has been active, invariably the press has spoken out in strong and unmistakable terms. Invariably ministers from their pulpits and in council have taken a strong stand."

"In Georgia the Klan has shown some progress because the County Unit system has made it a useful political tool," the report said. "It is felt, however, that the weight of public opinion is such that the Klan will never again become, even in Georgia, the powerful organization it was in the '20s and early '30s.

Sun. 1-2-49

The League hailed as another indication of progress "the rejection by the voting public in the South of practically all candidates who ran on anti-Semitic and anti-Catholic platforms."

Miller declared the controversy over civil rights in some aspects helped ameliorate rather than intensify group tensions.

He said Southern newspapers took the lead in vigorously demanding that the murderers of Roy Mallard, of Toombs County, and other Negroes killed in rural areas, be brought to justice.

Who Is Telling The Truth?

Chicago Defender

Opinions differ but facts admit of no dispute. A propaganda offensive has been underway for several months to fool the American people that the South will solve its racial problem if only the Yankees will leave it alone. This line has been adopted to kill off the civil rights program of President Truman and some Negroes have been sucked in by shrewd Southerners who praise them when they say that all is well in Dixie.

Chicago, Ill

Whatever doubts anyone may have entertained about the civil rights program of the President, the Mallard lynching and the outrageous trial last week at Lyons, Georgia should prove beyond question the need for federal action to protect Negroes who are at the mercy of Dixie extremists.

Sat. 1-22-49

The entire nation has been shocked by the proceedings at the trial of the lynchers of Mallard. State's Attorney Boyle of Chicago echoed the sentiments of all good Americans last week when he declared: "This country cannot have two kinds of laws or two types of trials, one for whites and one for Negroes. Everybody in this country is entitled to a fair trial. That at Lyons, Ga., was a shame, a vicious farce."

Neither wealth, education, nor nobility of character will save the life of a Negro in Georgia when the Klan-minded citizenry decide that the time has come for him to die. This is a demonstrated fact and no amount of propaganda can obscure it. We admit the North is guilty of many crimes against the Negro minority but this does not absolve the South of wanton lynchings nor of the double-standard of justice. The law offers the Negro in the North far more protection than it does in the South. There is much to be done in the North to guarantee full citizenship for Negroes but the task in Dixie is far greater indeed.

We believe the time has come to stop the North versus South argument and to begin to consider the damage done to the nation as a whole by the continued abuse and violence to which Negroes are subject. The Mallard case as the case of the four Negroes who were lynched in Monroe, Georgia prove that federal action is necessary to protect Negro citizens in Georgia and that action must be taken now.

Sat. 1-22-49

The most effective way to fight both fascism and communism is to make our democracy work. The Klan-minded leadership in Dixie is determined to make democracy a lily-white affair. They are the agents of the enemies of our system of government no matter how patriotic

We can safeguard the security of America and achieve full citizenship for ourselves by getting action on the civil rights program of President Truman. The Mallard case is another mandate to the Congress to act. We must let our Congressmen and Senators know where we stand. We are not fooled by the pretty pictures being painted about the South. We know that the vicious Dixie culture and racism undergirds the Dixiecrats who are sick that many white Southerners are afraid of it, although some of them are afraid to speak out. We shall continue to speak democracy as a decent Americans for them and for all decent Americans who really believe in our democracy.

Another Angle To Color Prejudice

Daily World, Atlanta, Ga.

Race and color prejudice in the South goes much deeper than the simple hurt it does to the soul of those against whom it is practiced, it sears the conscience of those who inflict it just as surely. And worst still, it is a great economic drawback to its people. Wed. 6-15-49

A case in point may be seen from facts brought to light in a recent column by our Sports Editor, Mr. Jackson, who says:

"Quite a few colleges in the more progressive states of the South are turning down athletic competition in Alabama, Georgia, Tennessee and Mississippi, because of lynchings, Klu Klux Klan terrorism and general racial strife.

"Quite a few schedule-makers have openly admitted that colleges in the CIAA and in the Midwest conferences have turned down point-blank basketball and football series in this section because of the lurid, brutal and sensational stories of police-abetted killings, intensified floggings and general lawlessness."

Mr. Jackson cites where one of the state's most ambitious state colleges recently offered athletic scholarships to a number of players in Texas, North Carolina and Tennessee and they turned them down without hesitation, citing the pattern of terror and fear dominating the South. He cites a great number of other specific instances. But we need not dwell at length on them. The important point is that young men, ambitious to make outstanding marks in intercollegiate athletics do not want to expose themselves to the constant danger of violence, terror or threats of one kind or another. Wed. 6-15-49

Many Northern and Eastern Negro students still remember the reports of three Negro State college presidents, together with members of their faculties, were forced to quit a state (University System) sponsored meeting upon threats by the Ku Klux Klan under the very nose of high educational officials who were powerless to protect them.

It is also true that in cases of accidents in travelling from point to point, Negro players have experienced the greatest difficulties in securing medical care and hospitalization. Immediately, we can recall three inexcusable deaths which could have been prevented if the jimcro policy had possessed in it enough common sense to make allowance for extreme emergencies. But instead, they have had to wait for some colored ambulance, and then be driven many, many miles, beyond the nearest white institution to some distant Negro hospital, before medical care could be administered.

Race prejudice is costly in more ways than one. It hurts the victims and it destroys the sense of moral righteousness in those who practice it.

A Southerner TALKING by LILLIAN Smith

I BELIEVE that in five years there will be little legal segregation left in the South. My southern white friends say "it will take fifty years" to change things, and some of them secretly hope they will be dead and gone before it happens. I stubbornly say five years will do it, and most of us will be right here when it goes.

There will still be prejudice; there will still be hate. Plenty of white folks and black folks will still cut themselves off from the rest of mankind. But these will be our sick people who cling to race hate to hide from themselves their real hate objects in their own families.

I do not believe hate can be legislated out or mental health legislated in but I think laws can be taken off books that now make legal the many actions that injure people's physical and mental health. The Defender

I am filled with optimism in spite of the recent lynching in Georgia, in spite of the way President Truman's Civil Rights legislation has been pushed aside in Congress, in spite of the Klan. Chicago, Ill.

In spite of the fact that the sick patient still has temperature, there are signs that he is going to get well.

Here are a few of them: words, just words. But good words are spoken before good acts are done. The biggest obstacle to change in the South has been the fact that few good words have been said in public, so few have spoken out against segregation and for human rights. But during the past two years, the churches have broken their silence. Not often in pulpits yet, but at their annual conferences. And they have spoken well: the Methodist women in the South against segregation in higher institutions of learning; the Virginia Council of Churches against segregation in public carriers; even the Southern Baptists have found race a moral issue, saying, "We should think of the Negro as a person and treat him accordingly . . . We should protest against injustices and indignities against Negroes."

Well, they couldn't quite come out against segregation, it is true. But I am nevertheless excited when I hear words like these from the good old cautious, conservative Southern Baptists, who for so long have used up their moral adrenalin against prohibition. Sat. 6-18-49

More and more good words: "We are scandalized," said the Methodist Ministers' Association of Atlanta, "at the Klan's desecration of the Cross of Christ . . . We condemn as un-Christian the Klan's constant stirring of prejudice and hate

We call on the City of Atlanta, the County of Fulton, the State of Georgia, to pass legislation prohibiting the parading of any group under the cover of masks."

And the Virginia Council of Churches recommends "that the citizens and officials of Virginia, while deeply grateful for the record of our state in having no lynching in our borders since the passage of the anti-lynching law 20 years ago, ever be on the alert to prevent the development of any situation which might eventuate in the crime of lynching."

South Carolina chimes in: "America cannot be a white oligarchy in which the Negro is required to abide by rules which he had no hand in formulating," says the Presbyterian Synod of S. C.

Asks For Open Minds On Racial Relations

MEMPHIS, June 11—(AP)—An opening of "closed minds" on the subject of race relations was urged here Friday night by Edgar Ray, Managing editor of The Tampa (Fla.) Daily Times.

"There are millions of closed minds on the subject," Ray told a Memphis urban league audience. "Truly liberal organizations need to open as many of those minds as fast as they can, without malice and violence and threats, but with facts, service, understanding and common sense that will draw more and more to the banner of liberalism.

Ray spoke at a ceremony honoring four Midsouth newsmen for efforts to improve inter-racial understanding.

The league gave parchment scrolls to Editor Frank Ahlgren and Editorial Writer Jack Carley, of The Memphis Commercial Appeal; Editor Jack Couglin, of The (weekly) West Memphis, Ark., News, and Editor Lewis O. Swingler of The (Negro) Memphis World.

38 1949

VIRGINIA

2 Soviet Traitors Beam At Jimcrow in Virginia

Daily Worker 38 New York, N.Y.

Mon. 2-7-49

The traitorous Russian fliers who "fled from behind the Iron Curtain" last fall arrived safe yesterday in the arms of the Chamber of Commerce of the Jimcrow, polltax state of Virginia. It was flags flying and horns tooting and keys-of-the-city stuff for Pilot Pirogov, 27, and Anatalya Barsov, 31, once lieutenants in the Soviet air force.

Pirogov and Barsov picked Virginia as the one place in above all America they wished to see. And, with the native instinct of renegacy, they picked a spot as far removed from the spirit of socialism as they could hope to find.

Yesterday, Virginia officials, deeply chagrined to learn that the pair had never heard of Robert E. Lee, took them to see Lee's statue in the Capitol and briefed them on the Confederacy's side of the Civil War. Mon 2-7-49

In the true spirit of the slavocracy, the Russians were amused as four ragged Negro youths (as witness a N. Y. Times photograph of Sunday) gave a command performance of "washtub" music on a Richmond street corner."

To newsmen later, Pirogov confided that the "most impressive thing" seen on the first day of a scheduled week's stay in Richmond was "the absolute abundance of everything of everything that amazes." This abundance included "the women shoes in the department store" and "the lightheartedness."

The "lightheartedness" to which the renegade lightheartedly referred scarcely described the headline in the last issue of the Journal and Guide, Negro newspaper published in Virginia: **"Virginia Terrorists Wage Campaign of Intimidation—Burnings Crosses Light Fires in Mother State."**

The "lightheartedness' was not in the heart of James M. Hinton, state president of the NAACP who, only days before the Russians' visit, said he had been threatened by what he believed to to be the Ku Klux Klan.

Or in those of seven Virginia Negroes recently arrested on the usual charge of "raping" a white woman. The "abundance" at which the ex-Soviet fliers marvelled palpably did not extend to the Negro youths who performed for them; nor for the entire Negro people of Virginia, for whom are allotted only six of the state's 42 institutions of higher education.

The "abundance" of lynchings in Virginia, 83 from 1882 to 1946, was evidently discreetly ignored by hosts and guests both; and the abundance of deaths among Negroes, in Virginia, whose death rates almost double those of Virginians.

Pirogov and Barsov were officially welcomed to Virginia by the chief executive of the state, Gov. William M. Tuck.

Says "White Supremacy" Cry Spells Inferiority

(38) Nashville Globe Nashville Tennessee

New York Times Gives Its Version Of What Prompts Talmadgeites Of Georgia To Seek Total Disfranchisement Of Colored Citizens

Fri-2-18-49

New York—White supremacists, the dominant Democrats in the one-party state of Georgia, are afflicted with an inferiority complex. It was flatly stated in a New York Times editorial of Sunday, February 6, as this noted daily newspaper attacked the hysterical, and generally believed unconstitutional effort of Gov. Herman Talmadge to put over the wholesale disfranchisement of colored Georgians and at the same time eliminate many white voters.

The Talmadge disfranchising plot is described as one which provides a test for prospective voters that few of them can pass. However, registration officers, who generally will be Talmadge supporters, will determine what questions will be asked a prospective registrant and will pass on the adequacy of his answers. Thus persons not known to be for Talmadge will be kept from registering while others, equally as unable to pass the test will be allowed to register. The plan means the wholesale disfranchisement of colored citizens because at least 90 per cent of colored Georgians are opposed to Talmadge.

In addition to the registration scheme, which will give Talmadge control of the Democratic Party, his faction has sought to take over control of the Republican Party, also. This was disclosed at the 1948 Republican National Convention, when Chairman B. Carroll Reece of the Republican National Committee waged a fight to seat the "Taft Republicans" of Georgia but was beaten by a close vote. It was pointed out that the Taft Republicans were in agreement with the Talmadge faction, to the extent that Talmadge Democrats were empowered by Georgia law to determine which Republican faction elected the delegates to a Republican National Convention whenever these Republican factions could not settle their quarrel among themselves.

It is generally believed that one of the reasons the Dewey people promptly got rid of Mr. Reece as national chairman was because he supported the faction from Georgia that works with Talmadge and the white supremacists. The Republican Talmadgeites did not send any colored man or women to the 1948 Republican National Conventions as delegates.

They did send several as alternates. On the other hand, the Dewey faction in Georgia sent a half dozen or more colored men and women as delegates, and the Deweyites were victorious before the Republican National Committee despite the fact that Chairman B. Carroll Reece, who is from Tennessee, took the floor and made a hard fight to get the Talmadge Republicans seated.

The charge that the white supremacists of Georgia are the victims of the dreadful affliction "Inferiority Complex' frequently has been made by colored newspapers. But it is probable the New York Times is the first of the leading dailies of the country to make the same charge. Under the caption, "White Supremacy Test" the February 6 editorial by the Times is as follows: Fri-2-18-49

WHITE SUPREMACY TEST

The absurdities to which the "white supremacy" advocates in some parts of the South ascend, or descend, is illustrated in the fifty questions that are proposed for prospective voters in the Voters' Qualification and Registration Act that is now before the Georgia Legislature. They were carried in a story from Atlanta that appeared on Page 7 of this newspaper, Saturday morning.

Governor Talmadge, and his fellow sufferers from an inferiority complex, have propounded questions that probably not one of ten of them can answer, with the obvious if unavowed intention of keeping Negroes in that state from qualifying as voters. They are questions that probably not one voter in a hundred in the United States could answer. For instance, how many residents of New York, or New Jersey, or Georgia, know how many Congressional districts there are in their states, or whether Congress has the power to abolish all courts except the Supreme Court, or how many judges there are on their state Court of Appeals? Those are three of the fifty questions from which Georgia county registrars could select twenty to put to the prospective registrant. If he was a Negro attempting to register it is easy to guess she would get the twenty most difficult ones.

No one can object to literacy qualifications for voters, nor to reasonable questions that would show a working knowledge of government organization and indicate a voter's ability to cast an intelligent ballot on questions relating to organization and operation of his government. An enlightened electorate is essential to democracy. But many of the questions on the Georgia list go far beyond any reasonable limit. They become even more absurd when it is recalled that Governor Talmadge and his late father had their strongest following among the so-called "wool-hat" boys of the Georgia canebrakers who probably, as a group, could not answer over half dozen of the fifty proposed questions. The Talmadges carried on no campaign to educate anybody—not even their own followers. Fri-2-18-49

Whether the questions will be upheld by the courts as legal it would be presumptuous now to guess. Any intelligent reader, however, will conclude that they are absurd on their face. Their enactment by the Georgia Legislature will not add to the dignity of that body nor to that of the white man in the South.

C. A. FRANKLIN

Negro Editor Visits Georgia

Atlanta Constitution Atlanta, Georgia

Editor's Note: C. A. Franklin, Editor of the Kansas City Call, Negro newspaper, toured the South recently. He wrote the following article on his visit to Georgia. We present it only as reflecting this writer's viewpoint.

Mon-5-2-49

ATLANTA—I spent considerable time in Georgia while I was away on my recent trip Southeast. The "Cracker" State is far from being a paradise but it is nowhere near as bad as it has been made to appear.

I think it is a fair statement of the facts to say that under Talmadge, its Governor, Georgia is attempting representative government by restricting the electorate.

All States restrict electorate in some way. A case in point, children can't vote in Missouri, because it is the general practice "to get out the vote," it strikes the rest of us as odd for the "Cracker" State to cut down the vote, as it is attempting to do by a new registration law.

All Georgia is doing is trying to get back on the basis where it used to operate before the poll tax became discredited and before the Supreme Court said Negroes could vote.

The Klan is parading, but nobody is terrified by it, speaking generally. The whole setup is understood in Georgia for just what it is, a new political stratagem with which to win office. In the same fashion that a Missouri candidate for office bids for votes by offering more assistance to the aged, a Georgia politician promises to keep the Negro down. He chooses the argument which is easiest understood by the electorate.

Both the whites and blacks in Georgia know that the latter are a minority and cannot win election on a race issue. When the Supreme Court said that Negroes could vote, 150,000 Negroes registered. But that did not change the situation because 600,000 whites were added at the same time. The standard registration in Georgia had been about 500,000 with 300,000 voting. When Negroes registered that total rose to 1,200,000. Clearly white supremacy never was in danger in Georgia but it remained the good talking point.

White supremacy being a stalking horse and never a real issue does not incite its supporters to intemperate action. Except in the backwoods. Negroes go about their business unmolested, provided of course they accommodate themselves to the Georgia pattern of race relations. But even it is changing.

Broad highways and visitors from afar have put Georgians on their good behavior. Except for one instance in Hawkinsville, Ga., we were as well treated as we are in Missouri.

There were times when Georgians went out of their way to say and do nice things. This is apparent from reading the important papers from the State and from listening to the radio. Let me illustrate what I mean.

While we were in Atlanta a member of our household witnessed some gross bad manners on a street car. It was a bus used almost exclusively by Negroes. On one occasion it had two white passengers. The only vacant seats were on a long bench where a white man was seated. A tired old Negro woman seated herself. He jabbed her with his elbow until she got up. A young Negro woman seated herself. He slapped her. Mon-5-2-49

Reading of this incident, you are angry. But don't think that this by itself condemns Georgia. It condemns him—because striking a woman is not becoming to any man. It goes further. It makes his associates subjects for pity. Except for the physical damage done Negroes are unaffected. All the while Georgia is showing another side of itself.

While in Atlanta I heard over the radio of the death in Augusta of a Negro who owned the most property of any one in Augusta and left an estate of a half million dollars.

In Athens a Negro owned an office building a half block from the court house. There are farm sections in Georgia with Negroes owning the land as far as one can see. By no means are all the things bad which happen to Negroes in that state. As we were leaving the State was withdrawing its license from a Negro real estate dealer because he had sold a house in a white neighborhood to a Negro.

Thirty years ago white caps would have taken the case in hand. From lawlessness to law, no matter how the law is administered, is a tremendous gain and Georgia is making it.

As We See It

The Worker-N.Y.N.Y. Sun-6-19-49

Communism is the Deadly Enemy of "White Supremacy"

By Milton Howard

WHAT IS NOT CLEARLY UNDERSTOOD by the "friends of the Negro people" in liberal circles is that the system of "white supremacy" is the official philosophy of the entire government machine. The horrible expressions of "white supremacy" cruelty, insult and crime which torment the Negro population every single hour of every single day of their lives don't have their origin in the backward, illiterate, depraved sections of our citizenry any more than the visage of the maddened German clerks and schoolteachers dancing crazily around bleeding Jews or burning books was the real image of Nazism. The industrialists of the I. G. Farben and the Krupp-Thyssen factories in the Ruhr pulled the wires that made these shrieking puppets dance.

And so it is in our country, too. It was the wealthy cotton planter who raved about "white supremacy" to make sure that he would have a good supply of slaves before the Civil War. Afterward, he did the same to destroy masters of the South who command the playing the new democracy which the emancipated Negro of the "white supremacy" siren song.

The terrible truth which every American must

face is that the government of the United States, in all its ramifications and culture, rests upon the "white supremacy" government. The KKK expresses this cannibalism only in the more vulgar and violent forms; but there is not a single Congressman, Senator, judge, State Department official, police officer, or responsible executive in any branch of the state who is not enmeshed in, who does not give support to, or is not tacitly adjusted to the "white supremacy" philosophy of the Ku Klux Klan. The two-party system is an open bulwark of the "white supremacy" horror.

Jan. 6 - 19 - 49

THE SUBJUGATION OF THE 14,000,000 Negroes in the USA is not the whim of evil men, nor the result of an historic remnant of slavery, nor of the "lack of education."

This modern semi-slavery within the heart of the most advanced capitalist culture in the world is a decisive strategy of the ruling powers in the financial and industrial world.

The "white supremacy" culture not only enables them to wring more profits out of the hides of the Negro victims; it is even more important to them as the social technique for maintaining the fatal division between the Negro and white working class which has paid off so handsomely in the past generations.

The "white supremacy" system, therefore, is under no circumstances the responsibility of the Dixiecrats alone, nor even mainly of these snarling agents of the cotton kings and the bankers who dominate them. The Dixiecrats are the "front" behind which the "white supremacy" terrorism is maintained by the decisive minority of finance capitalists – duPont, Morgan, Rockefeller, etc. – who run the United States.

The solution of the Negro question is, therefore, a matter of the highest social and political importance for the class conscious working class which strives for Socialism in the USA. It is utterly impossible to make any headway toward genuine democracy and Socialism without striking out in every direction in a head-on collision with every manifestation of "white supremacy" arrogance. The future of America depends—literally—upon it.

Debits And Credits On The U.S. Discrimination Front

DURING the past week or two the following important developments took place in the wide arena in which American Negroes—particularly those in the South—are carrying on their battle for full constitutional rights.

(1) A jury in Federal District Court at Richmond, Va., upheld the right of a common carrier to enforce rules of its own paralleling state segregation laws.

(2) Voters in Gloucester (Va.) county defeated authorization of a $300,000 bond issue (reduced from an originally planned $750,000) for "equalizing" white and Negro schools.

(3) The U.S. Supreme Court outlawed as discriminatory the infamous "BOSWELL Amendment" to the Alabama Constitution, designed to bleach the electorate of colored voters— and foreshadowed a similar fate for the equality smelly TALMADGE-sponsored new franchise law in Georgia.

(4) In Georgia the license to do business as a real estate broker held by J. H. CALHOUN, a Negro, was cancelled because he sold houses in "white districts" to Negroes (and shortly before this Negro-purchased homes in "white districts" in Alabama were dynamited).

(5) At Lexington, Ky., a Federal District Court ruled that a colored applicant was entitled to admission to the University of Kentucky's graduate school until such time as equivalent courses are offered him at "a substantially equal" graduate school for Negroes.

(6) The house of delegate of the Missouri State Medical Association voted to admit Negro physicians into the organization.

IN THE United States District Court at Richmond, JUDGE STERLING HUTCHESON presiding, the all-white jury returned a verdict upholding the right of a common carrier (in this case the Atlantic Coast Line railroad) to enforce rules of its own paralleling state segregation laws.

State statutes do not apply to interstate traffic, except that the U.S. Interstate Commerce Commission and some court decisions have upheld the right of railroads and bus lines to seat passengers according to regulations of their own, provided the regulations are "reasonable" and the accommodations are "equal."

The details of the court's charge to the jury and how it first "hung" and later brought in a "special verdict," are reported in our news columns, beginning on page one. The dispatches tell how the case was tried largely upon the issue that racial segregation is approved by white public sentiment in the South, with the main issues involving the plaintiff's eviction from a train and his arrest and detention in a town jail until he could arrange bond, clearly subordinated to the cause of racial discrimination through segregation.

The case will, on its expected appeal, provide the U.S. Supreme Court with another opportunity to pass upon the subject of the legality—or constitutionality—of charging colored people the same fare and giving them inferior accommodations or—more fundamentally — whether segregation itself isn't the most reprehensible of discrimination and a violation of the Constitution.

The high court is already scheduled to hear arguments on that issue in another case. Many people are of the view that discrimination is synonymous with segregation. The fiction of equality under a pattern of segregation has justified too long the existence of actual inequality, and has obscured in public thinking the basic issue that segregation itself, equal or otherwise, is the epitome of discrimination.

IN GLOUCESTER county the voters defeated the authorization of a $300,000 bond issue which was to finance court-ordered "equalization" of white and Negro schools in the county. The bond issue election was an outgrowth of FEDERAL JUDGE HUTCHESON's verdict that the county authorities were in contempt of court in not implementing his earlier decision that the school provisions of the county were drastically unequal and discriminatory, and should forthwith be put on a basis of actual parity.

Although ruled to be in contempt, the school officials were given additional time to comply with the court's order. The bond issue referendum having left the county school board without a source for the needed funds, it remains to be seen what steps the court will take now to procure compliance with its order.

The basic trouble is that Virginia's Constitution, as fabricated in 1902, leaves the building of school houses to the cities, towns, and counties. There are as many different policies and procedures in the arrangements for school houses, courses of instruction, teacher pay, etc., as there are political subdivisions in the state.

This situation calls for legislative action to turn over to the state government—as in North Carolina, for one example—the whole responsibility for school buildings, or accept continuous, interminable court actions on behalf of adversely affected school children now suffering in their preparation as breadwinners and as citizens from severe discrimination.

THERE were significant developments on the credit side of the ledger, but they occurred outside the state of Virginia; in fact, outside the solid South. They occurred in border states.

At Lexington, Kentucky, Judge H. CHURCH FORD of the Federal District Court held in a case before him that a colored applicant was entitled to admission to the University of Kentucky's graduate school. Said Judge FORD: "Until the state shall establish (for Negroes) a graduate school substantially equal to the graduate school at the University of Kentucky, it must admit Negroes on the same basis as whites."

This is a direct application of the meaning of the Constitution and of the U. S. Supreme Court's decision in the GAINES CASE originating in Missouri some years ago, as well as other decisions by it and lower federal courts since then. It is to be hoped, however, that the "substantially equal" phrase does not result in an evasion of the court's decree in Kentucky, as has been done in Missouri and some other states by the establishment of phoney "universities," mock law schools, inferior graduate schools out-of-state tuition plans, and the promulgation of a much discussed "regional system" of segregated colleges supported jointly by several states.

OUTSIDE of the school realm, the Missouri State Medical Association voted to admit Negro physicians into the organization by a vote of 60 to 16. If that is a good indication of sentiment among the white physicians of Missouri, the state's Negro physicians stand to receive some professional advantages which they do not now enjoy. That this step was taken in Missouri is highly significant.

Missouri, incidentally, has before its Legislature a proposal by an official committee proposing the elimination of segregation, by progressive steps, in colleges, high schools, and grammar schools.

THE two Virginia setbacks in Richmond and in Gloucester county will probably be worth 50,000 new members to the National Association for the Advancement of Colored People, whose legal staff in Virginia conducted the cases in question and is preparing to file other complaints with the courts. Membership fees provide the main source of revenues for financing these civil rights cases in the local and federal courts.

There is a current campaign to increase the membership in the state by 100,000 and to make each member of the association a qualified voter. If a "shot in the arm" were needed to intensify growing concern and, incidentally, to renew interest in the NAACP, the decision of the Richmond jury and the defeat of the school bond issue in Gloucester county serve the purpose well.

Those who counsel against present tactics in the effort to achieve educational advantages, voting rights, and civil liberties need to direct their advice to those responsible, in such localities as Gloucester and Princess Anne counties, for the discriminations which have long existed.

They especially need to do something about the sort of vicious thinking in those areas which permits approval by the counties' voters of expenditures for white schools, disapproval of similar outlays for colored schools, and the flouting of the established courts in the process.

The people in such counties as Gloucester and Princess Anne are inviting unceasing resort to the courts until justice is achieved—and they are effectively alienating any grounds for sympathy for any possible hardships which may inure to them in the pro-

Segregation Issue Flares At Presbyterians' Meeting

Courier-Journal
Louisville, Ky.

Buffalo, May 25 (AP)—The issue of racial segregation flared today in the closing session of the 161st General Assembly of the Presbyterian Church in the U.S.A.

The issue is considered by some church leaders to be a major block toward reunion of this so-called "Northern group" with the Presbyterian Church in the U. S., or "Southern group."

The two communions split during the Civil War, but overtures toward unification of "all churches of the Presbyterian family" were approved at the Northern group's meeting here.

Dixie Group Raises Point.

It was the ministers and elders of Southern churches represented in the Northern group who raised the point today. They staged an unsuccessful fight on the floor to strike from a report of the division of social education and action two paragraphs opposing racial segregation.

These paragraphs said, in part, that "we hold that the presence of segregated synods and presbyteries within the structural framework of our denomination based on either race or nationality is not in accord with basic Christian principles."

The Rev. W. Howard Lee, St. Augustine, Fla., moved to strike out the passage on the grounds that it contained "empty promises that could not possibly be fulfilled below the Mason-Dixon Line and that are not fulfilled in our churches in the North."

"The churches of the South practice segregation sincerely, as our churches in the North practice it apologetically, but consistently," he said.

He added that the plea for abolition of segregation "would work incomparable harm to the cause of union" with the Presbyterian Church in the U. S.

Sarah Brown, Seattle, Wash., a diminutive Negro woman who is an elder in her church, went to the rostrum to say that in her city's Presbyterian churches there is no segregation.

"If we are Negro, we don't know it," she said. "If they are white, we don't know it. We are all one, and I love them."

Dixie Churches Asked To Fight Race Prejudice

Birmingham News

Presbyterian Report On Discrimination Is Ready For Assembly

By Religious News Service

WHEN THE GENERAL ASSEMBLY of the Presbyterian Church in the U. S. (Southern) meet at Montreat, N. C., late this month, it will be presented with a report urging Southern Protestantism to join with "humanitarian forces" in a fight against the "injustice and tyranny of religious and racial discrimination" found in the South today.

Prepared by the Southern church's committee on Christian relations, and hailed by religious leaders as one of the most candid and forthright statements of its kind, the report minces no words in declaring that the problem of racial and religious bias is one that the South's churches "cannot evade."

* * *

THE REPORT MAINTAINS, in essence, that the Christian churches can, and should be, the most successful force in creating a prejudice-free South.

It poses the question whether Southern Protestants will allow secular, non-Protestant and non-Southern Christian forces to be the chief instruments of interracial and inter-religious justice, or whether they will "take their place beside these other forces which are striving to guarantee to all men their basic rights."

"On the answer to this question," the Presbyterian committee declares, "depends not only the freedom and fuller life of our minority people, but also the moral vitality of our Southern churches."

* * *

THE COMMITTEE'S REPORT has been the most important of its kind since the 40th anniversary convention of the Federal Council of Churches in Cincinnati last December unanimously adopted a statement on human rights stressing opposition to a racially-segregated society.

The Southern report appears to agree fully with the assertion of the Federal Council that the churches are "bound to offer a continual challenge to the conscience of the community" in all matters of human rights.

* * *

ACCORDING to the Presbyterian report, the chief answer to the problem of discrimination in the South is not federal legislation or secular good will education activities, but the initiation of programs of "words and deeds" in the churches that will reach down to the roots of intolerance in the community.

"The fact that our people," the report says, "are being moulded in mind and spirit by inherited social customs and ideas—many of them out of accord with the teachings of our faith—makes it imperative that they be given sound and systematic guidance by their Christian leaders, unpopular at times though this guidance may be."

* * *

THE REPORT SAYS "most of our Protestant denominations are taking stands against denials of civil rights on the ground of religion or race, and many are conducting programs designed to protect these rights at the bars of local and federal justice."

It declared also that the churches of the South must come to terms with the idea that discrimination is doomed, and must demonstrate their conviction thas Christianity "cannot serve God fully without defending the rights of his children."

The Southern report concedes that "not all federal action to safeguard civil rights in the South will do harm," but it asserts that a more hopeful augury is "the growing sense of responsibility among Southerners for state and local action voluntarily undertaken."

* * *

THE REPORT takes a somewhat dim view of education for better human relations, declaring that "many of our best educated people" still act in ways "that sanction and often did deepqer the gaps and gulfs between races."

It asserts that "even in the church for all our stress on Christian brotherhood, most white Southern churchmen are still unready to work or worship on a common level with their 'Brothers in Christ' of a different color."

* * *

WITHIN RECENT MONTHS, other leading Protestant bodies throughout the country have endorsed resolutions opposing antI-Negro discriminationd and other forms of intolerance both within and without the churches.

Among these groups have been the Quadrennial General Conference of the Methodist Church, the American Nnitarian Association, the Northern Baptist Convention, the Church of the Brethren, the general conference of Seventh Day Baptists, the international convention of the Disciples of Christ, the American Lutheran Church, the United Council of Church Women, and the foreign fissions conference of North America.

Church Segregation Opposed at Session

New York Herald

Northern Presbyterians Act;

May Hinder Merger

BUFFALO, May 25 (AP).—The Presbyterian Church in the United States of America approved Wednesday a report opposing racial segregation within its ranks. The subject was debated on the floor at the closing session of its 161st general assembly before final approval was voted.

The issue is considered by some church leaders to be a major block toward reunion of this so-called "Northern group" with the Presbyterian Church in the United States, or "Southern group."

It was ministers and elders of Southern churches represented in the Northern group who raised the point Wednesday. They staged an unsuccessful campaign on the floor to strike from a report of the division of social education and acton two paragraphs opposing racial segregation.

These paragraphs said, in part, that "we hold that the presence of segregated synods and presbyteries within the structural framework of our denomination based on either race or nationality is not in accord with basic Christian principles."

Anti Bias Laws Planned Or Set In 30 States

St. Louis, Mo.

NEW YORK — (ANP) — Legislatures in 30 states have measures under consideration which would prohibit by law discrimination against any person on religious, moral or social issues, it was learned here last week. Among the unusually large and varied number of bills before current state legislatures are recommendations of at least 10 governors for enactment of new and stronger laws aimed at racial or religious bias.

Recently the Phoenix Ministerial association endorsed a bill in the Arizona house which provides that facilities of all restaurants, barber shops, public conveyances, theaters and other places of public accommodations and amusements be made available to all persons, regardless of race, color, class or creed. In addition, the association approved a bill which would outlaw segregation in elementary school children by race, class, and/or creed. A similar measure was passed last week in the Indiana legislature. New Jersey passed a anti-public places bias law last week.

On the FEPC front, Nebraska, New Mexico, Oregon and West Virginia legislatures have proposals for the enactment of anti-bias bills under consideration which would ban bias by fire and casualty-insurance firms and revise and implement existing laws barring discrimination in public accommodations.

Among other states getting into the anti-discrimination fight are California, Colorado, Connecticut, Delaware, Illinois, Maryland, Michigan, Minnesota, New Jersey, Ohio, Pennsylvania, Rhode Island and Utah.

Negro Couple Guests in Stuyvesant Town, First of Their Race Admitted to Project

parents while they looked for another home.

Leases in the Stuyvesant Town project limit occupancy to tenants but there was no indication today that this clause would be invoked immediately by the Metropolitan.

Paul L. Ross, a former secretary to Mayor O'Dwyer and chairman of the New York Tenant Council group opposing discrimination in Stuyvesant Town and Peter Cooper Village, said:

"The fact that a Negro family now lives in Stuyvesant Town and has been received as a respected neighbor will lend encouragement to the campaign, and we will continue."

The Metropolitan Life Insurance Company declined yesterday to comment on the action of one of its tenants in Stuyvesant Town who has invited a Negro couple to share his apartment for the remainder of the summer.

Hardine Hendrix, 28 years old, a war veteran and art student, and his wife, Raphael, 23, are the first Negroes to live in the huge project. They are at 1 Stuyvesant Oval as the guests of Jesse Kessler, an organizer for Local 65, Wholesale and Warehouse Workers, an unaffiliated union.

Their residence in Stuyvesant Town follows a battle of several years during which Metropolitan's right to exclude Negroes from the until Labor Day.

Mr. Hendrix said he had lived in project has been challenged in and out of court. The State Court of Appeals recently ruled in a four to three decision that Stuyvesant Town was a private development yesterday and its owners had the right to be invoked to exclude Negroes if they so desired. Metropolitan's

Mr. Hendrix, who is a student at the Brooklyn Museum of Art, lived in Birmingham, Ala., before the war, served three years in the Army and has been in New York for the last four years.

"Everything seems to be fine," Mr. Kessler said. He had been scribed Metropolitan's policy as "undemocratic." He invited the Hendrix family to share his four-room apartment with him while his family is away for the summer. The Hendrixes will remain

"rat infested" apartment in Harlem and had to send his 5-year-old son south to stay with his wife's

Mississippi School Severs Ties With Texas Millionaire

NATCHEZ, MISS., Oct. 29—(AP)—Jefferson Military College—describing its financiti situation as "desperate"—turned its back on an endowment of $50,000,000 here today and broke all ties with Texas Millionaire George Armstrong, who made the offer.

The college trustees met for 90 minutes and then concurred again on Armstrong's withdrawal of the offer conditioned on the 147-year-old prep school incorporating his ideas of white supremacy.

A statement by the trustees said there had been "a complete misunderstanding between Armstrong and the board of trustees." The statement added that . . . "The policies announced by Judge George W. Armstrong are not never have been, and never will be the policies of Jefferson Military College, so long as any member of the present board of trustees is in any way connected with the institution."

The 84-year-old Armstrong's offer quickly raised national comment.

A Sigh Of Relief

The Natchez Democrat commented editorially: "Today many persons will breathe a sigh of relief because the dispute, which has gained nationwide attention and resulted in heapings of coal on the South's head ,is apparently over. A number of citizens of our community will greet the announcement with joy because they have objected to what they believed was behind the endowment plan.

"Obviously there is a deep and wide gulf between this thinking and that of the trustees and many citizens of this community."

The trustees not only rejected the endowment, but also refused Armstrong's unconditional offer to pay the school's $5,000 bank note and support it during the rest of this school year.

The written statement issued after the meeting in a Natchez bank building this morning, apparently ended the entire affair.

The elderly Armstrong previously had announced his withdrawal of his original offer but left the door open for the college to reconsider.

'No Controversy'

had said, "I want to make
n I have no controversy
e trustees. They're trying
the country in their way
my own way."
ritten statement of his
own the wealthy oil and steel man denied charges that he was anti-semitic.

"Only to the extent that Jews are Socialists and Communists am I anti-semitic," his statement said.

The rejection of the endowment leaves the small military school right back where it was before the controversy started: In a financial squeeze.

S. N. Murphy, chairman of the trustee's executive committee, said he didn't know what was in store for the school now.

"The future at the moment is a blank," he said.

Suit Based In Issue Of Race Blood

Action Taken When Her Children Barred From White School

VALDOSTA, Ga. — Maintaining that her ancestry is traceable to the Cherokee Indians and that she is without Negro blood in her veins, Mrs. Dollie Seay White is seeking through court action $300,000 damages and reinstatement of her four children in a white school.

Her children have been excluded from the school on the grounds that they are part Negro. In a suit filed in the Federal District Court the mother claims that her constitutional rights and those of her children have been violated.

In the suit, Mrs. White asks for a declaratory judgment and a court order against the Lowndes County Board of Education and School Superintendent James Dewar. In addition, she seeks damages from six school board members as individuals. Mrs. Lillie Holderby, Murrell Holderby, C. C. Gay, W. J. Arnold, J. H. Luke and Eddie Shiver.

CHILDREN BARRED

The mother held that her children had been barred from the white school at Clayattsville after the Holderbys had presented a petition to the board asserting that Mrs. White had Negro blood.

In denying the assertion, the mother charged the Holderbys were members of the Ku Klux Klan and that it was through their "malice" and desire to stir up "race hatred" that the petition to bar her children was drawn.

Mrs. FDR, Mays Discuss Dangers Of Prejudice

NEW YORK — (NNPA) — Mrs Eleanor Roosevelt and Dr. Benjamin E. Mays, president of Morehouse College, last Thursday discussed the dangers of prejudice in a radio broadcast over the American Broadcasting Company's network.

They participated in a panel discussion, presided over by the Rev. Lloyd E. Foster, pastor of the Old First Church of Newark, New Jersey.

The program was one in a series of mental health programs produced by the Protestant Radio Commission under the title, "Someone You Know." Other subjects discussed in the series deal with alcoholism, advanced psychiatric problems, uvenile delinquency, adultrey, old age, and pre-marital counseling.

Segregation Doesn't Involve Racial Hatred, Says McCorvey

MOBILE, ALA., Dec. 10. —(AP)—Southerners seeking public office can demand racial segregation without preaching racial hate, Alabama's Democratic party leader said today.

Gessner T. McCorvey, State Democratic Executive Committee chairman, commented on a report that his committee may be asked to ban candidates for governor from campaigning on the racial issue.

The Alabama Journal said that several committee members are actively supporting such a movement. The Jefferson County committee last January required local candidates to abide by a similar decree.

"I do not know of any candidate whose name has been suggested for any important state office who would think of such a thing as preaching racial hate or religious intolerance," McCorvey said.

"Alabama and the South generally is one section of the country in which the right-thinking people neither have nor tolerate any racial hate or religious tolerance.

"This is entirely different from the demands which thoughtful southerners will make, and insist upon, that our segregation laws and practices be maintained in full force and effect."

The state committee meets at Montgomery next Jan. 21 to set qualifications for next year's primary elections.

"Our insistence upon the enforcement of our segregation laws is the thing that has saved us, and will continue to save us, from the horrible race riots which have occurred in other sections of the country were there is no segregation of the races," McCorvey added.

"Personally, I sincerely hope that no Alabamian will think of such a thing as supporting in the 1950 primaries held by the Democratic Party of Alabama any candidate who does not wholeheartedly, earnestly and sincerely believe in the absolute necessity of our segregation laws."

WRONG AMBULANCE ANSWERS, MAN SUFFERS 5 MINUTES MORE

MONTGOMERY, Ala. — (ANP) — Because of the theory of white supremacy in the South, a white man here suffered five extra minutes of pain and torture when a Negro ambulance answered an emergency call to aid him.

Aged F. B. Ehlus lay on the corner with his scalp open while a Negro ambulance stood by idly because a Negro ambulance in Montgomery is not allowed to pick up a white patient.

Ehlus fell against the curbstone at Montgomery and Melton streets and split open his scalp. A passerby, seeing the accident, evidently called the first ambulance company he saw in the telephone book. It answered promptly but was not allowed to touch the patient because of the driver's race.

A druggist then called a white ambulance and it answered five minutes later. When Ehlus finally arrived at the hospital he could remember only his name. Later, he recalled his address.

Barkley Queried On Segregation

Montgomery Advertiser

PELL CITY, ALA., March 11—(AP)—One of Alabama's 11 presidential electors today raised the question of whether segregation laws would be observed at the Jefferson-Jackson Day dinner in Birmingham April 12.

Edmund Blair, publisher of the Pell City News and an elector last November, wired Vice-President Alben Barkley asking whether segregation laws would be observed.

His wire to Barkley asked whether segregation was to be observed April 12 "in view of the attitude of the national Democratic Party with reference to the civil right program."

There has been no reference to segregation at the Birmingham dinner by sponsors of the event.

A Puerto Rican In Montgomery

The Advertiser Montgomery

IN THE following Advertiser readers will get a unique look at segregation. The author, who remains nameless, is a Puerto Rican. She was brought to Gunter Field by an army couple as a maidservant. Because of her light color and Spanish accent she, unlike either white or colored natives of Montgomery, sat in whichever end of the bus suited her. She and the army couple (Nebraskans) have departed for a new station, but not before the army wife ghost-wrote the following for her Puerto Rican servant who glided through segregation barriers like some Topper out of Thorne Smith.—Ed.

★

NOBODY told me before I left Puerto Rico that it would be like this here.

The white people wonder about me, but accept me. The colored people wonder too, and also accept me.

My Spanish accent breaks down the barrier on both sides, because of its unfamiliarity.

They accept me, but they still wonder.

In Puerto Rico there are many colors but no color line. There are social classes, but the difference is mostly money—not color. There are many places in Puerto Rico where we can't go—because we haven't the price of admission. But when we go to the movies, to church, to festivals, on the bus, we go with our friends whether they are black, white or in-between.

I have friends here from Puerto Rico. They are black. I am fairly light. When I go somewhere by myself, I ride in the front of the bus; but when my friends and I go together we must ride in the back.

The bus driver wonders what's the deal.

One day when we had gone out to the Negro park, the bus driver tried to give me my money back so I could get off and wait for another bus. I was embarrassed and so were my friends. It puts a difference to our friendship in spite of anything we can do to overcome it.

★

BEFORE we knew about white theaters and colored theaters, two of us went to see "Gone With The Wind." They told me I could go in—by myself.

I couldn't do that, so I went back later alone to see the movie. When I go to town alone, I get a sandwich in a nice clean restaurant. When I go with my friends, we aren't sure where to go. We went to a colored place to eat one day, but it was too dirty. We went to the Negro park, but there wasn't much there.

★

I FELT sure that the one place I could find sanctuary from uncertainty would be in the church of which we are members in Puerto Rico. The minister was kind to us, but he asked us to sit in the hall. We tried several colored churches but their services were too unfamiliar.

Finally we found one which we enjoyed and we made good friends who welcomed us into their homes and entertained us.

I also became acquainted with some white people who spoke Spanish. They were interested in me and liked to practice their Spanish with us. I was invited to their homes, too.

★

IN PUERTO RICO there is much love of music. We didn't have many operas, or stage shows, so we were too happy when we read in the papers about the symphony concerts and musical shows. I got to go, but my friends who love it like I do, but were dark skinned, couldn't go. I didn't enjoy much going alone, and my friends were hurt because I got to go.

There are so many beautiful places in Montgomery that we wanted to see, but there was always a question. The places we did go were interesting, but we always called first to make arrangements and the uncertainty took much joy away.

It is hard to say if we like living in the United States. In Puerto Rico we are poor, but we are proud. Being meek is too hard a lesson to learn.

ALBERT Barnett

Racial Prejudice — How It Works, South And North

ONE of the strange paradoxes of racial prejudice is that it blows hot when you expect it to blow cold, and vice versa. Take housing and homes, for instance. Throughout the South, it has long been the accepted custom that many whites and Negroes live side by side in real neighborly fashion and with complete harmony and understanding.

Chicago Defender

In the poorer districts of some towns and even in larger cities, 'Aunt Mandy' of a colored family will share the joys and sorrows of the 'Missus,' her white neighbor, and when the larder runs low, the 'Missus' will even borrow food staples from 'Aunt Mandy' and think nothing of it.

Sat. 8-27-49

The 'Missus' will know 'Aunt Mandy's' daily schedule—what she's having for Sunday dinner; the name of the new pastor and text of his opening sermon; 'Auntie's' prayer meeting night; the Wednesday afternoon sewing circle and the date and time of the church's annual picnic.

The 'Missus' will help fry piles of chicken, make shortnin' bread and bake pies and cakes, as 'Auntie's' share in preparations for the outing, sponsored by the Home Missionary Society. In short, the 'Missus' will go all-out in helping with the arrangements, and do everything except actually attend the picnic. That, of course, would be socializing and definitely taboo—with a capital 'T.' Such is neighborhood community life in the South—hotbed of prejudice and bigotry.

* * *

Now, take a look at race relations and housing conditions in the 'liberal' North. Chicago has its 'Black Belt'; New York its 'Harlem'; Los Angeles its 'Central Avenue'; Pittsburgh its 'Wiley Avenue', and so on down the line. But many Negroes are clannish, like to be among "their own people," and as a result, voluntarily segregate themselves. This is the Genesis of the so-called 'Black Belt,' or Jim Crow district.

The trouble 'up North' starts when an upper bracket Negro business or professional man attempts to move his family into a "white district," thus giving them better housing, better schools and all the other cultural, civic and community advantages and benefits given to whites as a matter of course—but denied Negroes.

The Dr. Sweet case in Detroit, the bombing of Banker Jesse Binga's home in Chicago and other recent acts of vandalism directed against law-abiding Negro families, are cases in point.

But here's the rub. Soon after the Negro pioneer trail-blazers pave the way and are finally accepted by the whites, a loud-mouthed, ignorant, insulting and obscene minority moves in and tries to take over—on the premise: "He's my color, I'm just as good as he is."

As a result, the Negro hoodlum or racketeer moves next door to the respectable businessman—and 'dares him to open his mouth about it.' The situation is alarming and one that defies the best efforts of the Urban League, NAACP, civil liberties groups, community organizations, and the police force. It may be well that in some of the districts affected by this scourge, a vigilance committee of enraged, red-blooded Negro citizens, will be the answer.

Within the past few months, Negroes have moved, in individual (Negro) newcomers.

creasing numbers, into the exclusive Woodlawn section of Chi- They make the pr ight these savages yell, scream, curse, whine, and cago, south of the University campus and north of the million- their children until the wee hours of the morning. aire South Shore Country Club. Old timers expressed the hope impossible task. "These people ne problem of educating a white neighborhood an that if Negroes could ever buy or rent homes in the Woodlawn delicate situation a ok. district, they at least, would keep the 'riff-raff' out. (Negro) citizens in

What has happened? Here's a thought-provoking letter from a broad-minded but disgusted white man, living on Ingleside ave., whose name, for obvious reasons, is not mentioned. Read it carefully, then decide for yourself, what you think should be done about it. He writes:

"I am a Southern white man who believes and works for the full integration of the Negro into the society. Recently, I have moved into a neighborhood which is in 'transition.' I don't like this term because it implies that Negroes are moving in, and all the whites are moving out.

"Unfortunately, this is just what is occurring. A great deal of the cause of white exodus can be traced to the uncivilized be-

People should not be allowed to move into such a ion and jeopardize the chances of dozens of decent ns in their fight for living space."

Sen. Taylor Repeats Racial Segregation Laws Here Invalid

MONTGOMERY, Ala., Nov. 29—(AP)—Attorneys for Sen. Glen Taylor (D., Idaho), contended again today that Birmingham's racial segregation ordinance is unconstitutional.

Their arguments came in a brief filed with the Alabama Court of Appeals, which will take up on Thursday Sen. Taylor's appeal from a disorderly conduct conviction in Birmingham in 1948.

The Idaho senator was arrested in May of 1948 while trying to enter the door reserved for Negroes at a meeting of the Southern Negro Youth Conference. Taylor, then a candidate for vice president on the Progressive ticket, was to make a speech at the Negro gathering.

Convicted of disorderly conduct in Police Court, the senator appealed to Circuit Court in Birmingham and came out with a $50 fine and a 180-day jail sentence.

He is appealing now to the Court of Appeals.

The brief filed with the appellate court today contended that the Birmingham segregation ordinance is unconstitutional and that police had no right to interfere with Taylor when he tried to enter the door of reserved for Negroes.

DEFENSE LAWYERS attempted to get the argument in Circuit Court, but Judge George Lewis Bailes ruled against them.

The appeal to the court here contended that Judges Bailes erred in refusing to permit the racial question to be brought up.

Taylor's attorneys argued in their brief that the question of segregation is "the crucial issue in this case" despite what they called the city's "unwillingness" to test the Birmingham ordinance.

They contended that the segregation law violates the 14th amendment to the U. S. Constitution and that such statues "foster and perpetuate racial tension" rather than preserve peace and order.

"There is nothing inherently dangerous," the brief said, "in allowing white persons and Negroes who so desire to sit beside one another in a meeting and to listen to a speech.

"No clear and present danger to the interests of the community arises if both white persons and Negroes enter a public place through the same entrance and leave through the same exit."

* * *

IF THE MINGLING of the races in some public places is dangerous Taylor's attorneys ask this question:

"Does not the same danger exist when white persons and Negroes use the same sidewalks or shop in the same stores?"

The brief contended that the police were wrong in arresting Taylor regardless of whether they were trying to enforce the segregation law. If they were not attempting to enforce the ordinance, they argued, they had no right to interfere with Taylor and "were no better than trespassers."

The lawyers said further that the Idaho senator had a right to resist unlawful restraining and "to meet force with force."

The brief was signed by Arthur E. Shores, Negro attorney from Birmingham; John Abt, of New York; Earl Dickerson, of Chicago. Also associated with defense counsel are Henry Silver, of New York, and Morel Montgomery, of Birmingham.

Taylor's appeal will be submitted Thursday afternoon.

Defense lawyers said they probably will not argue the case orally, but the City of Birmingham probably will.

Senator Taylor Sentenced To 180 Days In Jail For Disorderly Conduct At Magic City Church

BIRMINGHAM, ALA., March 31.—(AP)—Sen. Glen H. Taylor of Idaho, was convicted of disorderly conduct tonight by a jury which heard his appeal from a police court case.

Taylor was fined $50 and sentenced to 180 days in jail, the same penalty as fixed here last May 4 in police court.

Attorneys for Taylor announced immediately they would appeal the verdict in keeping with Taylor's previous assertion that he would "take this case to the U. S. Supreme Court if necessary."

Taylor was a candidate for vice-president on the Henry Wallace ticket in last November's election.

The senator, who took the stand in his own behalf, contended that his arrest at a Negro church the night of May 1 arose from the city's segregation laws.

Judge George L. Bailes refused to allow testimony on the segregation issue and that ruling, attorneys for Taylor indicated, will be the basis of an apeal from today's conviction.

Taylor denied that he tried to force his way past a Birmingham police into the Negro church.

He said that a policeman, whom he did not identify, struck him with an elbow during the scuffle which followed the incident at the door of the church.

After the verdict Taylor said he was "pleased with the decision since it permits us to continue this case."

"I still feel," he said, "that segregation is the basic issue involved here."

A $200 appeal bond was posted a few minutes after the verdict.

Taylor testified he had no idea he was under arrest until he started hunting for a taxicab to leave the scene.

He said he could not deny or confirm the use of profanity at the time he stumbled over a wire in the church yard.

Earlier a defense motion for a mistrial followed use of the word Communist by a prosecution witness.

The witness, City Detective Paul McMahan, was asked if he knew what kind of meeting Taylor tried to enter. He answered "Communist."

Judge Bailes overruled the motion for a mistrial.

SEN. GLEN TAYLOR
"Pleased with decision."

Three witnesses earlier had testified Senator Taylor said:

"You s.o.b.'s can't do this to me."

One of them said Taylor made the remark when the senator and officers tripped over a wire in the yard of the church.

Detective McMahan, asked if the senator's remark was to him, replied:

"I didn't know which s.o.b.'s he was talking to."

That brought a laugh from both sides of the segregated audience.

Sen. Taylor Gets 180 Days Plus $50 Fine

Birmingham Jurors Find Him Disorderly; He'll Appeal Verdict

Birmingham, Ala., March 31 (AP). Senator Glen H. Taylor (D., Idaho) was convicted of disorderly conduct tonight by a jury which heard his appeal from a Police Court case.

Taylor was fined $50 and sentenced to 180 days in jail, the same penalty fixed last May 4 in Police Court.

Taylor, who was candidate for Vice President on the Henry Wallace ticket last year, contended that his arrest when he tried to use the Negro entrance to a church the night of May 1 arose from the city's segregation laws.

Judge George Lewis ruled, however, to allow testimony on the segregation issue.

Attorneys for Taylor announced they would appeal the verdict in keeping with Taylor's previous assertion that he would "take this case to the United State Supreme Court if necessary."

Arrested During Campaign

The Idaho Senator was arrested here during his campaign for vice-president when he was attending a meeting of the Southern Negro You Conference.

Taylor did not testify at his police court trial May 4. He took the stand today at a hearing of his appeal from the conviction. Earlier, a use of the word "Communist" by a witness in describing the youth conference brought a motion for mistrial. Judge George Lewis Bailes overruled the motion.

State witnesses had testified Taylor attempted to force his way past Patrolman W. W. Casey, stationed at a door reserved for Negroes. Birmingham laws require separate entrances for Negroes and whites. Taylor told the jury he was pulled from the porch of the church.

"One officer struck me with his elbow and knocked me against the wall of the church," the Senator said. "I remember thinking my back was against the wall."

Segregation Case Dismissal Refused Taylor

Birmingham, Ala., March 30 (AP).—The groundwork was laid today for a high court test of Birmingham's laws requiring separation of Negroes and whites.

It came at the opening of U. S. Senator Glen Taylor's appeal from a police court conviction here last May 5.

The Idaho Senator, candidate for vice president on the Henry Wallace ticket last November, was charged with disorderly conduct. He was fined $50 and given a suspended sentence of 180 days in jail in police court. He is appealing that conviction.

Arthur Shores, Birmingham Negro attorney, moved to dismiss the complaint against Taylor. The motion contended the laws providing segregation are unconstitutional. Taylor has said he would carry that argument to the highest courts.

Judge George Lewis Bailes overruled the motion to dismiss. He also declined to allow Taylor's attorneys to withdraw their original request for a trial by jury.

Twenty-five of a panel of 30 jurymen were qualified before the lunch recess.

Taylor was arrested Mal 1 when h eattempted to enter a meeting of the Sonthern Negro Youth Congress through a door reserved for Negroes. The Birmingham laws require separate entrances.

Negroes and whites were segregated in the spectator seats at the trial.

Glen Taylor Put On Trial, Racial Issue Is Barred

Senator Pleads Not Guilty in Birmingham Defiance of the Segregation Laws

BIRMINGHAM, Ala., March 30 (UP).—Senator Glen Taylor, Democrat, of Idaho, who was arrested here last year when he disregarded segregation laws, went on trial for disorderly conduct today and the bench repeatedly refused to admit a racial issue in his case. The Senator also lost a motion to waive a jury trial and another that the complaint against him be quashed.

An all-male, all-white jury was selected after the panel remained silent when asked collectively if it would hold prejudice against the defendant because of his racial equality views.

Senator Taylor pleader not guilty to all three counts in the complaint as the trial proceeded before a packed courtroom in the Jefferson County Courthouse. About seventy-five whites and an equal number of Negroes sat segregated by the courtroom aisle.

Senator Taylor's brush with Birmingham segregation laws came during the heat of the 1948 [illegible] tial campaign. The Sen- [illegible] ming-mate of Henry A. [illegible] on the Progressive ticket, here to address a Negro youth meeting. Despite police warnings, he tried to enter the Negro entrance to the meeting place and had a scuffle with police. He was jailed for disorderly conduct.

He drew a $50 fine and 180-day suspended sentence in city court and appealed to circuit court, vowing to carry the case all the way to the Supreme Court if necessary to make Birmingham "eat Jim Crow." The city judge had refused to recognize the racial issue in the case and Circuit Judge George Lewis Bailes followed the same policy in today's proceedings.

The first direct witness to Senator Taylor's arrest and subsequent jailing was Patrolman W. W. Casey. His recital of the incident, climaxed when the Senator and a group of policemen tripped and sprawled over a low fence, had the courtroom in titters. Even Judge Bailes laughed behind his hand.

In cross-examination, the defense drew the admission from Officer Casey that Senator Taylor committed no assault or disturbance prior to his "collision" with the policeman. Patrolman Casey also admitted that he did not arrest Senator Taylor—that was done by an officer who later joined the fracas.

The trial was recessed until 9 a. m. tomorrow after two newspaper men gave accounts of the tussle that were similar to Patrolman Casey's.

TAYLOR 'PLEASED' AT HIS CONVICTION

Senator Says He Hopes to Get Segregation Issue in His Case Into Open on Appeal

Special to THE NEW YORK TIMES.

WASHINGTON, April 1—Senator Glen H. Taylor, Democrat, of Idaho, today said that he was pleased with the verdict of a Birmingham (Ala.) jury which yesterday found him guilty of disorderly conduct. The case was a result of his efforts to address a mixed audience in Birmingham last May 1 when he was running as candidate for Vice President on the Henry Wallace ticket.

He said he was disappointed, however, that while this verdict made possible the carrying of the case to a higher court, the jury which heard an appeal from a police court conviction refused to permit arguments about the segrega-

Taylor Defense May Put Connor

[illegible] Court of the United States. Senator Taylor repeated his original contention that there was no conduct on his part; that his two lawyers in Birmingham, disorderly conduct oc- Arthur Shores and Morrell Mont- as caused by the local gomery their action to prevent entering a hall where he to speak before a mixed [illegible] nator, who since the election returned to his seat as a

On Stand Today

Commissioner Has Been Called By Idaho Senator's Attorneys

Birmingham Police Commissioner Eugene Connor may be called today to testify as a defense witness in the trial of Sen. Glen H. Taylor before Circuit Judge George Lewis Bailes.

Connor, whose officers arrested Taylor last May 1, when he attempted to enter the Negro entrance at the Alliance Gospel Tabernacle, has been summoned by the Idaho senator's defense attorneys.

* * *

T. B. WEAVER, Birmingham, Route 3, testified today that Sen. Taylor doubled up his fist as if threatening to strike officers after he had stumbled over some wire.

The incident took place, he said, in the yard of the Alliance Gospel Tabernacle after Sen. Taylor had been placed under arrest when he attempted to force entrance to the building through the door reserved for Negroes.

Weaver said the senator fell to the ground while he was being led to an awaiting police car. Taylor arose with his fists doubled behind his back, Weaver said.

"You S.O.B.'s can't do this to me," Weaver quoted Taylor as saying.

City attorneys asked if he used the initials "S.O.B."

"No, he used the long form," Weaver said. A ripple of laughter ran through the courtroom.

* * *

LEROY SIMS, Associated Press Bureau Chief here, testified that he heard the senator curse after he had fallen to the ground.

He told of observing Taylor twice jostle Officer W. W. Casey in his attempt to force entrance through the door reserved for Negroes.

Sims said they wrestled on the porch and it appeared to him that one of the officers pulled the senator from the porch.

Simms quoted Police Chief Eddins as saying after Taylor was placed in a police car that Taylor was charged with breach of peace.

Later during the same conversation Simms said Chief Eddins said the charge would be disorderly conduct.

* * *

THE HEARING of witnesses in the case got underway at 2:30 p.m. yesterday after hours of legal sparring.

Judge Bailes blocked attempts by Taylor's attorneys to argue the constitutionality of the city's segregation laws as the case began.

The Democratic senator and former vice presidential candidate on the Progressive Party ticket is charged with disorderly conduct, assault and battery and resisting arrest. He was fined $50 and given a 180-day suspended jail sentence in Recorder's Court.

Turn to Page 14, Column 5

At Senator's Trial:

They Came For Action, Stayed For Yawns

BY VIRGINIA VAN DER VEER
News Staff Writer

The trial of a United States senator can be as dull as that of a casual pickpocket in last night's police court.

Disappointed spectators are finding this out in a dignified courtroom which overlooks Birmingham from the sixth floor of Jefferson County's Courthouse.

* * *

SEN. GLEN H. TAYLOR, an accomplished guitar player in his vaudeville days, is losing his audience.

The courtroom, jammed with the curious yesterday, is only comfortably filled today.

Those who came for opening day fireworks were reduced to yawns. Atty. Morel Montgomery, who is one of Taylor's four lawyers, provided them with the only minor drama of a monotous day.

Montgomery played standing for Taylor in the reenacting with Officer W. W. Casey of the "brushing or coming together" of the policeman and the senator last May 1.

It was to Montgomery, also, that a florist's delivery boy presented a large funeral wreath midway through yesterday's session.

* * *

THOSE WHO HAVE SOME to see a real, live senator on trial for disorderly conduct are about equally divided between whites and Negroes.

The middle aisle of the courtroom separates the two races, but ironically enough, they enter through the same door.

Sen. Taylor originally got into trouble for trying to enter a door marked exclusively for Negroes.

Most of the white spectators are men. They look, on the whole, like the crowd which hanks around the steps of the courthouse in any small Alabama town.

The Negro audience is quiet. It is impossible even to guess at their thoughts from their impassibe faces.

THE JURY FILED IN. Who are these 12 Alabamians who sit in judgment on an Idaho senator? One is a bank vice president, another a newspaper artist. There is a car repairman, a shipping clerk and an accountant and an engineer in the jury box.

Senator Taylor's Trial Opens; Supreme Court Test Promised

BIRMINGHAM, Ala., March 30.—(AP)— Sen. Glen H. Taylor (D), Idaho, laid the groundwork today for his promised high court test of laws requiring separation of whites and Negroes.

Obvious moves to that end came during the first day's hearing of Taylor's appeal of a police court conviction here last May 4.

Taylor, a candidate for vice-president of the Henry Wallace ticket last November, was fined $50 and sentenced to 180 days in Jail. The charge was disorderly conduct. The jail sentence was suspended.

Sports Red Necktie

The Idaho senator, sporting a bright red necktie and in apparent good humor, said he would "fight this case to the U. S. Supreme Court if necessary."

Only three witnesses were heard today. Selection of a jury and special pleadings took most of the day.

Attorneys for Taylor sought first to have the charge against him dismissed. Arthur D. Shores, Birmingham Negro attorney, offered a motion asserting that Taylor's arrest and conviction resulted from the segregation laws. He contended these laws violate the Constitution.

Laws here require separate entrances for whites and Negroes. Judge Lewis overruled the motion to dismiss, which then was filed on a defense exception from that ruling.

The judge also refused to allow Taylor's attorney's to withdraw their original request for a jury trial.

All-White Jury

An all-white jury was chosen. Patrolman W. W. Casey, who made the actual arrest, repeated the testimony he gave in police court last year. He said Taylor drove his shoulder into the officer's chest twice.

Two reporters gave similar testimony.

Taylor was arrested May 1 when he attempted to enter a meeting of the Southern Negro Youth Congress through a door reserved for Negroes. The Birmingham laws require separate entrances.

The motion to strike the complaint asserted his arrest was part of a series of "overt acts by the city of Birmingham in a wilful and deliberate plan" to deny him freedom of speech and freedom of assembly.

Conspiracy Charged

This motion also contended Police Commissioner Eugene (Bull) Connor and the city engaged in a conspiracy to prevent Taylor's scheduled speech.

Connor was summoned as a witness by the defense.

Negroes and whites were segregated in the spectator seats. Judge Bailes cleared the standees, leaving about 75 whites and 75 Negroes in the two separate sections.

SEN. TAYLOR FOUND GUILTY BY DIXIE JURY

Wallace Partner Given Jail in Segregation Case; Appeals

BIRMINGHAM, Ala., March 31. — (AP) — Senator Glen H. Taylor (Democrat), Idaho, was convicted of disorderly conduct tonight by a jury which heard his appeal from a police court case.

Taylor was fined $50 and sentenced to 180 days in jail, the same penalty fixed last May 4 in police court.

Taylor, who was candidate for Vice President on the Henry Wallace ticket last year, contended his arrest at a Negro church the night of May 1 arose from the city's segregation laws.

POINT DENIED——

Judge George Lewis refused, however, to allow testimony on the segregation issue.

Attorneys for Taylor announced they would appeal the verdict in keeping with Taylor's previous assertion that he would **"take this case to the U. S. Supreme Court if necessary."**

At his police court trial, Taylor's 180-day sentence was suspended. Appeal of the verdict, however, nullified the suspension.

DOOR SCUFFLE——

The Senator denied from the stand today that he tried to force his way past Birmingham police into the Negro church where the Southern Negro Youth Conference was meeting.

He said a policeman, whom he did not identify, struck him with an elbow during the scuffle which ensued when he attempted to use an entrance reserved for Negroes only.

Taylor Appeals Jury Conviction

Solon's Fight on Ala. JC Statute Continues

BIRMINGHAM — "I am pleased with the decision since it permits us to continue this case. I still feel that segregation is the basic issue involved here."

This statement was made by Sen. Glen Taylor (Dem., Idaho), immediately after a jury last Thursday, convicted him of disorderly conduct and gave him the same penalties meted out in police court last May 4 which he appealed.

He was fined $50 and sentenced to 180 days at hard labor for violating the jim-crow laws. Judge George L. Bailes suspended the jail term.

Segregation Issue

A $200 appeal bond was posted soon after the verdict.

The trial lasted two days during which Mr. Taylor's attorney argued that segregation was the main issue in the case, while city attorneys branded the defendant as a participant in a disorderly brawl.

Arrest Recalled

Senator Taylor was a candidate for Vice President on the Progressive Party ticket headed by Henry A. Wallace in last November's elections.

He was arrested last May 1 when he attempted to enter a meeting of the Southern Negro Youth Congress through a door reserved for colored people. Local laws require separate entrances.

A motion by Arthur Shores, local attorney, one of four for the defense, to dismiss the complaint was overruled.

Mr. Shores said that the Senator's arrest was part of a series of "overt acts by the city in a willful and deliberate plan" to deny him freedom of speech and freedom of assembly.

Judge Bailes also denied a motion for a mistrial when a witness used the word "Communist" in describing the youth conference, and declined defense attorneys' request to withdraw their motion for a jury trial.

Senator's Testimony

Senator Taylor denied from the witness stand that he tried to force his way past the police into the colored church where the conference was being held.

He testified that a policeman, whom he did not identify, struck him with an elbow during the scuffle when he attempted to use the entrance for colored people.

Witnesses Tell Story

Witnesses for the State had testified that the Senator attempted to force his way past Patrolman W. W. Casey who was stationed at the colored entrance.

Three witnesses testified that Senator Taylor told police officers: "You s.o.b.'s can't do this to me."

They were T. V. Weaver, a spectator, and Dets. Paul McMahan and G. L. Baggett.

Spectators Laugh

Spectators on both sides of the segregated courtroom laughed when Det. McMahan asked if the Senator's remark was addressed to him, replied:

"I didn't know which s.o.b. he was talking to."

The defendant said he could not deny or confirm the use of profanity at the time he stumbled over a wire in the churchyard.

Solon Called 'Rowdy'

In the final arguments, Assistant City Attorney told the all-white jury that the Senator "refused to rowdyism" in flouting the local jim-crow law.

He urged them "not to be moved by the power and prestige of this defendant," and to give him "days — a sentence on the county labor

Senator had announced previously that he would "take this case to the U.S. Supreme Court if necessary."

Stupidity in Alabama

Afro American
Sat 4-9-49

A little Maryland judge, little in many respects, may have been one of the immediate causes of the Civil War.

Roger Brook Taney, from the little town of Frederick, rose to be Chief Justice of the Supreme Court a hundred years ago. His home is some kind of shrine now for people who like the kind of thing he stood for.

But, he had before him the case of a fugitive slave who had gotten into a free state and wanted to remain free. Small-minded Taney ordered the man returned to slavery and, in writing his decisoin, he used the expression that the colored people have no rights that the whites are bound to respect.

He went out of his way to make that statement. Taney could have decided the Dred Scott case without it but such "damphool" remarks by a stupid little country judge are perhaps the only words he ever uttered that we remember today.

Another case being just as stupidly handled by small-minded people may bring about the end of segregation just as Taney brought about the end of slavery.

Last week in Birmingham, Alabama, U.S. Senator Glen Taylor (Democrat from Idaho), was found guilty of disorderly conduct, given a jail sentence, and fined $100.

He was accused of violating the Birmingham segregation laws.

But note this: Glen Taylor was candidate for the Vice Presidency on the Progressive ticket. He was on his way to make an address in a colored church when he was arrested.

The Birmingham laws require separate entrances for all buildings entered by white and colored people.

When word went out that Senator Taylor was to make a Progressive speech in a colored church, the white city officials of Birmingham went to that colored church and put signs, white and colored, on certain doors.

Sat 4-9-49

Mind you, this was a church of god and the church belonged to colored people, but the Birmingham city authorities insisted that one door of that church had to be reserved for white and another door for colored.

They arrested Taylor and put him in the jug because he declined to enter the door marked "white."

The witless, thick headed, imbecilic stupidity of the Birmingham authorities can well be the match which fires sensible people all over the U.S. to go forth to battle against segregation.

Only a jackass would arrest a U.S. Senator for entering the "colored" door of a colored church. And, only a double-jointed jackass would dare tell any minority group, like ours, that we have got to have segregation in our churches.

Negroes Admitted, Club Quits AAUW

ST. LOUIS, Oct. 12.—(U.P.)—The College Club of St. Louis decided to withdraw from the American Association of University Women Wednesday because the association has decided to admit Negro women as members. The club president, Mrs. William Stead, said a 188-to-131 vote favored withdrawing.

STATE ASSEMBLY APPROVES RUMFORD ANTI-JIM-CROW BILL

SACRAMENTO, April 13—Three bills dealing with banning of racial discrimination have been approved by Assembly committees.

One (AB 807), by Assemblyman William Byron Rumford (D.) Berkeley, would prohibit segregation in the National Guard because of race, creed or color.

It came out of the Military and Veterans Affairs Committee unanimously with a do-pass recommendation.

The other two, almost identical, are measures which would bar motor vehicle liability insurance companies from discriminating in rate charges, because of race, creed or color. One of them (AB 22) is by Assemblyman Marvin Sherwin (R), Piedmont, the other (AB948) is by Assemblyman Augustus F. Hawkins (D.) Los Angeles.

The other by Assemblyman William Byron Rumford (D.) Berkeley, would ban segregation in the National Guard because of race, color or creed. This measure, before it hit the Assembly floor, also has been given a unanimous do-pass recommendation by a committee, the Committee on Military and Veterans Affairs.

The Assembly also approved a resolution calling on Congress to end filibustering. The resolution, authored by Hawkins, Edward Elliott, (D.) Los Angeles, and Glenn Anderson, (D.) Hawthorne, asks that the U. S. Senate adopt a rule whereby a majority vote could limit debate, thus making it possible to halt endless and meaningless talking by some senators when civil rights issues are up before the assemblage.

TWO MEASURES ON RACIAL CLEARS STATE ASSEMBLY

SACRAMENTO, April 18—Two measures dealing with racial discrimination have cleared the State Assembly.

One, by Assemblyman Augustus Hawkins, (D.) Los Angeles, would prohibit discrimination on rate charges by motor vehicle public liability insurance companies because of race, color or creed. It previously had been given unanimous approval by the Assembly Committee on Finance and Insurance.

Watts bank asked to hire Negroes

Farmers and Merchants Bank of Watts today had been asked to "establish a fair employment policy" by hiring Negroes and Mexicans as clerks, bookkeepers and tellers.

Making the request was a delegation representing the Independent Progressive party, headed by Lemuel Talley and Ray Cox, of the Watts-Willowbrook club of the IPP.

Cox and Talley said a conference had been held by the group with Charles Griffiths, president of the bank, and Griffiths said there is no immediate prospect of Mexicans or Negroes being hired as there are no openings.

BANK IS WILLING

When an opening arises, and if applicants of minority groups "met specifications," Griffiths said he would be willing to hire them.

Griffiths and the delegation, which also included Mrs. Eliza Allen, Leroy Parr, and Arthur Gering, struck a stalemate over one of the specifications outlined by the bank president.

Applicants must have bank experience, said Griffiths; but the policy against hiring representatives of minority groups prevents them from gaining experience, pointed out Cox. He added:

"Banks train their young workers. We call upon the Watts bank to hire Negroes and Mexican-Americans who have had the proper schooling, and train them.

SWIMMING POOL SEGREGATION IN COAST TOWN ENDED

MONROVIA, Calif. (ANP) — Racial segregation in the Monrovia swimming pool, the Municipal plunge at Recreation park, was ended here last week as a result of special work by the N. A. A. C. P.

Mayor Reuel R. Brown announced the new policy following a meeting of the City council held after the NAACP had protested the policy of limiting the use of the pool to Negro children to Mondays and Thursdays only.

The anti-racial policy of the swimming spot was brought to focus recently when a group of colored children were denied entrance into the pool and told they could come there only on a Monday or a Thursday.

At a meeting of the NAACP led by the Rev. G. G. Bailey, pastor of the Second Baptist church, and Thomas L. Griffith Jr., attorney, members decided to protest to the Mayor.

Hit State Guard, Auto Insurance

LOS ANGELES—Two measures which for several years have made the legislature a hot bed of controversy and dissension have finally become law.

Early last week Governor Earl Warren affixed his signature to bills banning segregation in the state guard and discrimination against Negroes by automobile insurance firms.

The first bill was introduced to the Assembly by Assemblyman Augustus F. Hawkins and given the green light by the Assembly and later by the Senate after it had been unanimously approved by the Committee of Finance and Insurance. The latter was introduced by the other Negro member of the state legislature, William Byron Rumford, (D) of Berkeley.

REFUSE NEGROES CAR INSURANCE

Despite the fact motor vehicle insurance coverage was made compulsory three years ago, Negroes have been unable to secure policies throughout the state. Those companies accepting their claims do so at an exorbitant rate Companies refuse to insure Negroes and several other minority groups list as their chief reasons the allegation that these groups are bad risks.

With the signing of th measure although the law provides that segregation in the State Guard from this oint on is unlawful it is optional as to whether the present branches will follow the law and integrate.

The governor also affixed his signature to the Needy Child Bill which will directly benefit 18,000 children throughout the state.

Hit State Guard, Auto Insurance

LOS ANGELES—Two measures which for several years have made the legislature a hot bed of controversy and dissension have finally become law.

Early last week Governor Earl Warren affixed his signature to bills banning segregation in the state guard and discrimination against Negroes by automobile insurance firms.

The first bill was introduced to the Assembly by Assemblyman Augustus F. Hawkins and given the green light by the Assembly and later by the Senate after it had been unanimously approved by the Committee of Finance and Insurance. The latter was introduced by the other Negro member of the state legislature, William Byron Rumford, (D) of Berkeley.

REFUSE NEGROES CAR INSURANCE

Despite the fact motor vehicle insurance coverage was made compulsory three years ago, Negroes have been unable to secure policies throughout the state. Those companies accepting their claims do so at an exorbitant rate Companies refuse to insure Negroes and several other minority groups list as their chief reasons the allegation that these groups are bad risks.

With the signing of th measure although the law provides that segregation in the State Guard from this oint on is unlawful it is optional as to whether the present branches will follow the law and integrate.

The governor also affixed his signature to the Needy Child Bill which will directly benefit 18,000 children throughout the state.

Prime Minister Nehru Gets First Hand Briefing On Problem

Dr. Bunche, Walter White Serve As Chairmen Of Meeting

NEW YORK -(ANP)- Pandit Jawaharlal Nehru, Prime Minister of India, got a first hand briefing on the Negro problem in the United States last Saturday afternoon. It was the day after his widely acclaimed visit to this country had officially ended and his presence in America was more or less incognito, that he held a small informal and frank conference with a group of well-known Negro personages.

The meeting which was co-chairmaned by Dr. Ralph Bunche and Walter White was arranged at the personal request of Prime Minister Nehru himself. He revealed that while he had a rather complete idea of the general situations facing America's largest minority group he desired to secure a more intimate picture of the problems confronting Negroes.

LEADERS PRESENT

Among those present at the gathering which was held at the home of Mrs. Robert Lehman, 625 Park Ave., besides his sister, Ambassador Vijaya Pandit and the chairmen, were: Mrs. Mary Bethune, president of the National Council of Negro Women; Dr. Mordecai Johnson, president of Howard university; Gov. William Hastie of the Virgin Islands, Lester Granger, National Urban league, Judge Irvin C. Mollison of the U. S. Court of Customs, Roy Wilkins, acting executive secretary of the NAACP, Dr. Louis Wright, chairman of the NAACP board; Dr. Robert C. Weaver of New York University faculty, Mrs. Robert L. Vann, publisher of the Pittsburgh Courier, Mrs. Ruth Bryan Rhode, former U. S. Ambassador to Norway, vice president of the National League for Civil Rights and mother of the hostess, Mrs. Lehman; Mrs. Walter White George Weaver of the National Staff of the CIO and Claude A. Barnett of Chicago.

Dr. Bunche explained that Prime Minister Nehru who has had little opportunity to meet with Negroes generally during his visit except the few who attended the various receptions tendered him, wished to secure a cross section of opinion in an informal discussion. He called upon different persons for brief statements covering various phases of the place of Negroes in American life.

ASPECTS DISCUSSED

Dr. Bunche, Mrs. Bethune and Dr. Mordecai Johnson gave the historical background of the racial problem here. Gov. Hastie discussed the legal aspects of racial restrictions as they affected the status of Negro citizens. Lester Granger talked of the current trends brought about by the increasing urbanization of the Negro. Mr. Spingarn described the progress made from the viewpoint of one who had been engaged in interracial activities over a period of four decades, while Dr. Robert Weaver gave a picture of the psychological factors involved in the Negro's struggle. George Weaver presented a resume of the progress along the labor front. Walter White, Roy Wilkins and Dr. Bunche closed the discussion which had been punctuated with keen observations and questions by Pandit Nehru.

The Prime Minister explained that while he had talked about equality for racial minorities and the world problems affecting color and race in many of the numerous addresses he had delivered during his rapid but very inclusive visit to the United States, he had deliberately avoided discussing the Negro problem specifically. He said he felt it would have been highly improper for him to come into another country, especially on an official visit, and venture to criticize the internal policies of that country.

Connecticut Gets Anti-Bias Law; Bowles Signs

The Daily World
Atlanta, Ga.

HARTFORD, Conn. — (ANP) — Gov. Chester Bowles, former OPA administrator last week signed a bill outlawing discrimination in any public place because of race, creed or color. Wed. 7-20-49

The law applies to all public places and to federal and state housing projects. Violators are subject to 30 days in jail and fines from $25.00 to $100. On signing the bill, Gov. Bowles said:

"Connecticut is among the leaders in according and guaranteeing its citizens, regardless of race, fair and impartial treatment of all color or creed."

Jim Crows Ex-GI: Grill Owner Then Gets Surprise Of His Life In Court

Arrest of the bar-owner and his boss came about only a matter of hours after Connecticut's Governor Chester Bowles had signed a strong law forbidding discrimination in public places in the state.

Jones, a student of Fisk university and native of South Carolina, is in Connecticut for the Summer months.

NORWALK, Conn. — The trial of a Norwalk grill owner and his bartender on charges of discriminating against an ex-GI failed to materialize here in Police Court last Friday afternoon when the presiding judge disqualified himself.

Facing trial are Melvin J. McGoldrick, 49, owner of Mel's Grill and Diner, and William Blanks his bartender.

McGoldrick and Blanks were arrested a fortnight ago on a warrant issued by the City Court, for allegedly refusing to serve 23-year-old ex-GI student David L. Jones, Bridgeport.

The bartender had summoned Police Officer Patrick McDonaugh to the grill and caused Jones' arrest, reporting to the officer that the veteran was making a disturbance in the grill.

Tables Turned

When Jones, after spending 12 hours in jail in Norwalk, came to trial the following morning tables were turned on the bartender and his boss.

Judge Arnold R. Fasano, after hearing Jones' defense that he had been refused service in the grill and ordered by the police officer to "get out of town on the next bus," declared angrily:

"This arrest is a clear and serious miscarriage of justice. This whole case is a clear and evident example of discrimination."

Advised To Swear Out Warrant

The jurist had advised the veteran to swear out a warrant charging discrimination.

At the Police Court Friday, the day scheduled for trial of the two whites, Judge John Keogh Jr., disqualified himself from the case, stating that he had been in court at the time Judge Fasano's remarks were made.

Judge Keogh added that the defense attorney had raised the point that none of the three Norwalk judges could try the case since both were involved, Fasano having made the remark that the case showed discrimination and the other judge because he had also been present in court during Jones' trial.

Arrest Bar Owner

It was indicated that it may be necessary to bring in an out-of-town judge to preside over the trial Friday.

Negro Pianist Again Barred By D A R

HARRISBURG, Pa., May 14—(AP)—The manager of Pianist Hazel Scott says the Daughters of the American Revolution has again barred the Negro artist from Constitution Hall, Washington, D. C.

Charles P. McClane, of nearby Steelton, said he received a telegram Friday night from the D. A. R. refusing Miss Scott permission to rent the large auditorium in the nation's capital.

He quoted a telegram he said Esteele Obyrne, Brookville, Ind., president general of the D. A. R. sent him as saying "Building rules governing use of auditorium stipulates renting to white persons."

McClane said he would meet Monday with Rep. Adam Powell (D., N. Y.), a Negro, to discuss a protest to Congress. Rep. Powell is Miss Scott's husband.

"Surely this should be investigated by her government," McClane said.

DAR Continues Discrimination Against Negroes

NEW YORK—(ANP)—Did Arthur Godfrey mean what he said Wednesday night concerning the refusal of the DAR to let two colored performers with his radio show appear in their new widely known Constitution Hall?

The two are members of the Mariner's Quartet, James Lewis and Nat Dickerson. Godfrey yould not identify the DAR officials who refused the use of the hall, but in commenting on the DAR in general over a nationwide hook-up, Godfrey said, "God bless 'em, they won't let me bring our Negro entertainers into our capital, into Constitution Hall."

The affair was transferred to the new National armory.

DAR Award Returned By Marylander

WASHINGTON—The moth-eaten ideals upheld by the Daughters of the American Revolution were dealt a stinging rebuke by a young GI student at Maryland University, who returned the good citizenship award given him by the DAR in 1943, in protest of the "poor citizenship" which the organization has shown.

The young student is 24-year-old Warren E. Silver, who served three-and-a-half years in the Army with chemical warfare units and participated in the Okinawa campaign.

In a letter to the DAR, Silver wrote:

"For the past six years I have read the newspaper accounts of the resolutions adopted by the DAR Congress.

"With your nose turned high in the air, you have stated that you are opposed to immigration, to health insurance and to international trade and labor organizations.

"In brief, the DAR opposes cooperation with those abroad and assistance for those in the United States. These are not the actions of a good citizen.

"Since I am a good citizen, it is my duty to return your good citizenship medal as a protest against the poor citizenship your organization has shown."

The DAR refused the use of Constitution Hall to both Marian Anderson, singer, and Hazel Scott, pianist, under a racially discriminatory, "white artists only" policy which denies Negro performers use of the hall, although Negro patrons are admitted to the concert hall without segregation.

Arthur Godfrey Blasts DAR

NEW YORK — The Daughters of the American Revolution were blasted again this week for their iron-clad policy of racial discrimination.

Arthur Godfrey, radio entertainer, rapped the group in a nationwide network broadcast for refusing to permit use of Constitutional Hall for a show because it included two Negro singers in his Mariners' Quartet.

Godfrey spoke over station WCBS, New York and the Columbia Broadcasting System. The quartet will appear in Washington's National Armory, because, said Godfrey:

Telegrams Support Stand

"God bless 'em, they won't let me bring our Negro entertainers into our capital, into Constitution Hall."

The singers who drew the DAR ban are: James Lewis and Nat Dickerson.

Godfrey was reported enroute to Virginia for the holidays and his representatives could not be contacted for information about DAR officials who had negotiated with the popular entertainer about Constitution Hall.

Criticism of DAR's biased policy started an avalanche of telegrams to Godfrey. Most of them, Godfrey said, favored his stand.

There Go The DAR's Again

United States Attorney General Tom Clark has gone all out for his idea of promoting a great Benefit Show, in which the Nation's outstanding celebrities of radio and stage will participate.

Under the plan, Mr. Clark will apply all of the proceeds toward the conduct of a relentless fight against juvenile delinquency among the youth of the Nation.

Arrangements pursuant to the staging had all been worked out, including places where the entertainers would stay while in Washington. The Daughters of the American Revolution had even granted the use of Constitution Hall for that noble purpose.

But, it seems that in the meantime, it was learned that Arthur Godfrey, famous radio entertainer, who along with his cast was booked to appear in Constitution Hall, was promptly denied that privilege when it was discovered that the cast had Negroes in it.

That is in line with the DAR's age-old Lily-white policy of excluding anything from appearing in Constitution Hall which had Negro in it. They refused the use of that Hall to such an artist as Marian Anderson. They refused its use to Hazel Scott, wife of Congressman Adams Clayton Powell. And they resort to all sorts of ridiculous explanations to justify their action. No wonder Mrs. Roosevelt quit them in disgust. Little by little and year by year forward-looking American women are renouncing their membership in an organization which, despite the vast social and democratic trends toward the oneness of mankind, clings tenaciously to a past lacking in sanction by God and man. What are the Daughters of the American Revolution trying to prove by their attitude? Have they learned that two World Wars have been fought to make America safe for Democracy and that in the very revolution which they so zealously cherish, the blood of Negroes was spilled as surley as that of our white fellow countrymen?

Thanks to the kindness of National Armory officials the Show will go on because they have opened their doors to Mr. Godfrey's outfit. Of the DAR's Mr. Godfrey says: "God bless 'em, they won't let me bring our Negro entertainers into our capital, into Constitution."

Lest We Forget

St. Louis Argus

By Frank L. Williams

Removal Of Segregation From Washington

THE vicious and iniquitous institution of slavery, from the time the seat of government was removed from Philadelphia to Washington, in the District of Columbia to the time when President Lincoln signed the enactment, calling for its abolishment, 1862, disgraced and dishonored the capital of the nation.

Both the proponents as well as the antiponents of slavery were strong in their opposition to its existence in the seat of the national capital.

Its removal became the conspicuous objective of the antislavery forces of the nation. Every effort made in behalf of freedom had as its first objective the removal of slavery from the district of Columbia.

As happens so often in social changes, the elimination of one evil was not succeeded by an ultimate good, but by an intermediate step---perhaps a weaker, but still a form of slavery. There followed the practice of segregation.

A recent investigation by a national committee discloses the fact that it has interfered with the business of government since its initiation to this day. Any colored person coming into Washington for a visit or business would be regarded as a Negro and would be subjected to all of the regulations of segregation. Many have been insulted and wronged. The people of Asia, Africa, Japan, and many islands of Eastern seas are colored. The hotels, restaurants, theaters and recreational centers in Washington have subjected representatives of these nations to the same kind of treatment they have been practicing on the Negro people of the United States. The State Department of shocking requirements of segregation must be complied with. An accident overtakes a Negro. Life depends upon emergency treatment. The epidermis is examined. If the skin is any color but white, emergency treatment is refused and a human being is allowed to die because there is pigment in his skin.

Government officials at the nation's capital are manipulators of the same virus. These officials work vigorously to prevent Negro people from securing any jobs except what is not wanted by white persons. The virus of segregation was administered in homeopathic doses by William Howard Taft, and in allopathic doses by President Woodrow Wilson.

In the matter of securing homes, either to rent or purchase, the white people in Washington have made segregation a productive instrument. By restrictive covenants they have forced the Negro people into "ghetto" districts and then forced them to pay extravagant prices to purchase homes and the highest possible prices to rent homes.

The practice of segregation in Washington has revealed to the entire world the vicious and atrocious conduct of the majority group, at the seat of the government. The world may behold the land of the free is not yet free. Greed and exploitation are riding a rising tide. They have no other objective than to victimize an innocent public.

It has been almost a century since crongress and President Lincoln blocked out slavery in Washington. It is time now for another change. Let segregation be abolished in the District of Columbia.

Jan 1-7-49

Theater Bars Negro Pair in Demonstration

Washington D.C. Star

Capitol Picketed In Group's Attack On Segregation

The segregation policy of a downtown theater was challenged yesterday by the Young Progressives of the District who attempted to gain admittance for two Negro members of their group.

After having tickets purchased for them at Loew's Capitol, the Negro couple was denied entrance at the ticket-taker's gate by Joel Margolis, theater manager.

Margolis explained that it was not the policy of the theater to admit Negroes, and that he was following a tradition established and practiced by the community for more than 100 years.

When their ticket money was refunded to them the couple joined 25 members of the Young Progressives who had formed a picket line under the theater marquee.

Headed by Edmond Majchrzyk, chairman of the antidiscrimination committee of the group, the pickets carried placards proclaiming: "Together in War, Why Not Together in Movies?", "Let's Make the Capital Democratic," and "Segregation Divides the Nation."

Majchrzyk said the organization would continue to picket at different theaters on succeeding Saturdays, until all movie houses in Washington that practice segregation are picketed.

Jan 30-49

This was the first instance of the picketing of a movie theater in protest against segregation. The National Theater formerly showed stage plays, but last fall changed its policy and began to exhibit movies, after prolonged picketing, and the decision of actors not to perform unless Negroes were admitted.

Segregation Wins Out in House D. C. Vote

Atlanta Constitution

Atlanta Georgia

Thur 3-3-49

WASHINGTON, (AP)—Republicans and Southern Democrats teamed up in the House yesterday to defeat a proposal that would have ended race segregation in Washington schools.

A vote of 106 to 64 beat the proposal, offered as an amendment to the annual District of Columbia appropriation bill. It would have withheld Federal funds from any municipal agency practicing discrimination because of race, color, creed or national origin. Rep. Powell, Democrat, New York, a Negro, offered it.

The amendment was aimed at segregation in the public schools and in recreational and health facilities.

There was no record vote. But news reporters checking the standing count got totals of 49 Democrats and 15 Republicans for it; 36 Republicans and 70 Democrats opposed.

The House then passed the $98,923,621 bill by voice vote and sent it to the Senate.

the government has found itself in embarrassing situations because of this practice.

Groups of citizens made up of Negro and white people have refused to visit Washington as a group because they did not wish to experience the humiliation provoked by the practice of segregation.

Jan-1-7-49

The Negro people living in Washington, and those distributed throughout the nation have had to endure patiently the cruel discrimination which the majority group of the nation has chosen to inflict upon a minority group of the nation, though this minority group must serve the nation, in peace and in war in the same manner, and to the degree of the majority group.

The practice of segregation in Washington has led to the formation of a segregated school system. This means that so far as public schools are concerned, there will be an attempt to provide for the education of the Negro people. Private educational institutions usually follow the pattern of the public educational institutions but make no provisions for the education of Negro people. For the most, in Washington, Negro people, in a very limited degree, have any opportunities for higher education.

As in most cities of the nation, with the segregated systems, the schools for Negro people are inferior to other schools of the system. What is true of education is true of other cultural advantages and opportunities. Rather recently, Miss Marian Anderson was deprived of privileges of singing in Constitutional Hall, controlled by a patriotic organization.

Even in the field of health and hospitalization, the wicked and

Sen. Sparkman Seeks Discrimination Study

Montgomery Advertiser

Montgomery Ala.

WASHINGTON, Jan. 2—(AP)—Senator Sparkman, (D), Alabama proposed today that Congress undertake a nationwide study of racial and other discrimination before adopting any civil rights legislation.

Mon-1-3-49

In a radio interview, Sparkman said he is drafting a resolution calling for a Congressional inquiry with particular attention to the relation between "discriminatory practices" and economic conditions.

Sparkman indicated he will work for such a proposal as a means of forestalling early action on President Truman's civil rights program.

House Rejects Ban in Capital On Segregation

New York Herald Tribune

New York, New York

Thur-3-3-49

Votes Down Amendment by Powell for Race Equality at Schools and Projects

From the Herald Tribune Bureau

WASHINGTON, March 2.—Racial discrimination in the nation's Capital was spotlighted today when the House voted down an amendment to the annual District of Columbia appropriation bill which would have banned segregation because of race or color in public schools and projects here.

The unsuccessful attempt to drive a civil rights wedge into Washington's long-standing segregation policy was made by Representative Adam Clayton Powell, Democrat, of New York, when he introduced an amendment to the $98,923,621 appropriation bill. Representative Powell challenged House members who publicly favor passage of strong civil rights measures to show whether "they meant what they said during the campaign last fall."

The amendment provoked protests from Southern members of the House, whose Senate colleagues are in the middle of a filibuster aimed at blocking possible civil rights legislation in their chamber.

Representative John E. Rankin, Democrat, of Mississippi, asserted the amendment would "destroy" the Washington school system. He predicted it would result in "race riots and discord."

Under the amendment Federal funds would have been withheld from any municipal operation which practiced discrimination because of race, color, creed or national origin. It was designed specifically to eliminate segregation in schools, at health centers and in the city's recreational facilities.

Representative Vito Marcantonio, American-Laborite, of New York, supported Mr. Powell, saying the amendment gave the House its first opportunity to vote "on the campaign promises its members made on civil rights."

A bi-partisan strategy agreement forestalled a move by Representative Marcantonio to recommit the bill to the House Appropriations Committee. The amendment was defeated by a voice vote

Haddonfield H. S. Seniors Alter Plans for Washington Trip

New York Times

Special to The New York Times

HADDONFIELD, N. J., Jan. 21

Haddonfield High School senior class voted here yesterday to spend the two nights of their three-day trip to Washington on a steamer between Baltimore and Norfolk and to have their lunches and

CLASS DEFIES RACE BIAS

BACKS SCHOOL COLOR LINE

House Coalition Rejects Move to End Segregation at Capitol.

New York Times

WASHINGTON, March 2 (AP)—Republicans and Southern Democrats teamed up in the House to-day to defeat a proposal that would have ended race segregation in the public schools which was estimated in the press gallery to be 106 to 64.

There was no record vote. But reporters checking the count got totals of forty-nine Democrats and fifteen Republicans for it; Republicans and seventy Democrats opposed.

The House then passed the $98,923,621 bill by voice vote and sent it to the Senate.

avoid "Jim Crowism."

Thomas H. Skirm, principal of the school, said the action was taken by the students to avoid segregation, which was encountered by last year's seniors at hotels and restaurants.

Mr. Skirm said the seniors would entrain for Washington on May 12. The first night they will go to Baltimore and embark on a steamer of the Old Bay Line for an overnight trip to Norfolk, spend the second day touring Williamsburg and return by steamer to Baltimore on May 14.

Hotel Bias Hits Seton Hall in D.C.

WASHINGTON

While segregation took a back seat in the Evening Star track and field games, it ran rampant in the nation's capital where athletes on mixed teams were refused accommodations at several downtown hotels.

Refused accommodations at downtown hotels because of objection to two tan members on the team, Seton Hall's track team was quartered in St. Joseph's in Northeast Washington.

The team, accompanied by Hubert Gates, former Hampton Institute hurdler, went to the Continental Hotel to eat early Saturday. The management was willing to serve the Seton Hall team without Gates, but the team refused to eat without their tan mate.

As a result the entire Seton Hall team walked out of the dining room and went to Union Station and had their meal together.

It was learned that the team could not be quartered in the downtown hotels prior to the meet, but Coach John Gibson told the AFRO the reports were new to him and that he didn't know where he was going to stay.

According to several members of Seton Hall's team, both Gates and Phil Thigpen, the latter 1000-yard champion, were highly depressed over the incident and, undoubtedly, did not turn in their best effort.

The entire team at one time decided to pass up the meet altogether, but later decided to come.

— LEIGH

Hazel Scott Refused Service In Wash.

WASHINGTON, D. C. Feb. 21—On Thursday, Feb. 17, 1949, Mrs. Hazel Scott Powell, under the civil rights laws of the State of Washington, entered suit for $50,000 against Mr. and Mrs. Harry Utz of Pasco, Washington.

Hazel Scott is now on concert tour with Columbia Concerts and was [illegible]-bound on the North West Special between Idaho and Spokane, Washington on Feb. 12. The Union-Pacific Railroad was able to dig them out and hired a bus to transport them for the balance of the trip. The bus stopped at Pasco at a cafeteria owned by Harry Utz. Miss Scott asked for soup, but was refused by the waitress. The cashier explained to her, "We do not serve colored." She demanded the owner who appeared and confirmed in exactly the same words. She immediately went to the Police Station at Pasco, where she was virtually ordered to get out despite the fact that she had witnesses, both white and Negro, and explained to the policeman that she was the wife of the United States Congressman Adam Powell.

When she arrived in Spokane where she stayed at the Davenport Hotel, she hadn't eaten anything in twenty-seven hours. Her travelling companion and secretary, Mrs. Eunice Wolfe of White Plains, N. Y., was also refused and is suing for $30,000. The lawyer handling the case is Max Cohen, noted for civil rights suits in the far west. The interracial committee of the City of Spokane and of the State of Washington is backing the case up.

Under the community property laws of the State of Washington, inasmuch as the suit involves money, one of the plaintiffs in the case automatically becomes the husband, Congressman Powell. So we find the strange spectacle of a U. S. Congressman and his wife wife suing in the State of Washington-- not Washington, D. C.---because on Lincoln's Birthday, the wife was denied a bowl of soup in an American restaurant.

Racial Rally Group Demonstrates at Childs

Two groups of about 80 white and Negro members of a civil rights rally yesterday staged a three-hour unsuccessful attempt to be served at Childs Restaurant, Massachusetts ave. at N. Capitol st. nw.

The sit-downers occupied most of the tables in the restaurant from about 2 to 5 p. m. They were members of New York and other out-of-town delegations to the Legislative Assembly and Rally to End Segregation and Discrimination.

It has been meeting here for the past two days.

The reseaurant demonstration was preceded by a panel discussion at the Metropolitan Baptist Church, led by Dr. Edwin B. Henderson, director of health and physical education of the Negro public schools of the District.

Dr. Henderson said the District government, by having too many appointees of boards who "very definitely" believe in segregation sponsors a discriminatory system over which District residents have no say.

Dr. W. E. DuBois, New York Negro leader, declared the Republican and Democratic parties have proven that "you can't have war and social progress at the same time. He asserted the Negro people "can only realize their aspirations to become first-class citizens by supporting the Progressive Party."

The assembly adopted resolutions demanding that President Truman "wipe out jim-crow in the armed forces by executive order" and that Congress adopt a District charter outlawing segregation and discrimination in public schools, health and welfare agencies, D. C. National Guard, public housing and playgrounds.

Spokesmen said more than 1000 had registered here for the rally. Some joined members of the Young Progressives of the District in picketing several downtown movie theaters last night to protest segregation.

New Jersey Bans Class Trips To Washington

TRENTON—[illegible] State Commissioner of Education, John H. Booshart, last Friday instructed all New Jersey school officials to refrain from planning class trips to Washington, D. C., pending further advice on racial segregation in hotels of the nation's capital.

"This department is at present conducting a survey dealing with the problem," he said.

In several recent cases, local boards of education have expressed concern over the possibility that Washington will deny accommodations to Negro members of classes.

Nonsegregation Policy

Representative Arthur G. Klein has proposed a novel way to resolve the racial discrimination that still grips Washington more tightly than some cities in the deep South. Let Congress, he suggests, declare nonsegregation to be the public policy of the District of Columbia. This would merely reaffirm what was the law in Washington under the civil rights statutes prior to 1900, as recounted by the recent report of the National Committee on Segregation in the Nation's Capital.

In furtherance of such a policy, the Klein bill would require nonsegregation as a condition for the licensing of all places of public accommodation. After a specified date, applicants for business licenses and renewals would be required to sign affidavits that they would conduct their businesses without discrimination in accommodation or service. Protests could be filed against the issuance of licenses, citing verified instances of discrimination. In such cases the Commissioners would hold public hearings to determine whether the license should be granted.

The advantage of this procedure is that it would avoid the punitive atmosphere of criminal prosecution. By requiring all license applicants to deal alike, it would not single out any one business to take the lead, and it would remove the arguing point of "community attitudes." It would not invade the private domain, nor would it attempt to set conditions of employment—though some of the benefits of a fair employment bill might stem from it.

Another provision of the Klein bill would end segregation in District schools by September, 1951. It is clear that if segregation in the schools is to be ended, this must be done in one step. Undoubtedly the cost of dual schools is an increasingly important influence toward integration and better use of the physical plant. The question is whether the way would not be better paved for such a move by having it follow rather than coincide with the change in licensing.

That question, however, is incidental to the purpose of the Klein bill which we suspect, is in the nature of a trial balloon. It may not be the best or even a practicable means of ending racial discrimination in public facilities. But it merits serious thought, and it puts its critics on their mettle to come up with a better suggestion for implementing the rights that should accrue to Washingtonians regardless of race.

White Neighbors Douse Blazing Cross In Negro's Yard

WASHINGTON, Sept. 9—(AP)—White neighbors doused a blazing wooden cross planted in the yard of a Negro family here early today. This was reported by firemen called to the home of Ralph Sneed, a Navy Department mail clerk. A few moments later the home was pelted with stones. Several windows were broken. A police patrol was set up in the area. Police and firemen blamed "juveniles" for setting up the cross and stoning the house. They said the Sneeds, who recently moved into the neighborhood, were the only Negro residents in the block.

Secretary Krug Feted at Reception

W. Henderson, director of the American Council on Human Rights, is shown congratulating Secretary of Interior Julius A. Krug for his stand on non-segregation in public facilities, at a reception given by the Council at Howard University, Saturday. Looking on is Dean George A. Parker of the Phi Beta Sigma fraternity and Mrs. Edna Over Gray, president of ACHR and supreme basileus of the Alpha Kappa Alpha Sorority.

Begin Now to Help End Segregation on Playgrounds, Krug Urges Citizens

200 Honor Interior Secretary at Reception Given by Human Rights Council at Howard

WASHINGTON

Washingtonians were urged by Secretary of Interior Julius A. Krug, last Saturday night, to begin planning now for the end of segregated playgrounds by next summer.

Secretary Krug was the honored guest at a reception tendered him by the American Council on Human Rights at the Founders' Library of Howard University.

The Council honored the cabinet official for his stand against segregation, particularly, in the Anacostia Park pool dispute last summer. The pool was closed by Secretary Krug after a series of racial flareups.

Really Equal

"Public facilities are going to be open to all on an equal basis, I don't mean 'separate but equal,'" the Interior Department head told the 200 guests who applauded resoundingly.

"I urge you to get ready now for next season so that everyone can enjoy these facilities without any risks," he said.

"It requires careful planning and intelligent work, so that all our citizens in the national capital will have an opportunity to enjoy the recreational facilities and not be faced with an obsolete legal doctrine that dates back 50 years."

"Although Interior has been firm in its stand, and I feel we have made real progress toward the abolition of segregation in the Nation's capital, I regret that I cannot report anything like complete success."

Policy Not Confused

"The progress already made involved the temporary loss of public use of some facilities last summer," the Secretary declared.

"But I want to emphasize that the temporary loss did not indicate a confused policy, but rather underlined a determined policy, that the Federal Government will not yield to prejudice and discrimination—the forerunners of violence."

Secretary Krug confided that he was "startled to discover that there was really organized antagonism to this policy of non-segregation, which crystallized in the swimming pools."

He recalled that it was necessary to close down the Aanacostia pool, because of racial tension.

He declared he was "branded by every newspaper in Washington as advocating a policy that would not work," Secretary Krug admitted that he was "disturbed by their stories and talked with them separately."

But, said the Interior Department head, "we were convinced we were following the only just policy."

90% Favorable

He revealed that 90% of the letters and telegrams the Interior Department received on the issue were "vigorously in favor of the policy we followed" and came from all parts of the country.

Mr. Krug said it was "an encouraging sign" that the American people know the right answer and the only thing needed is the blessing of facts.

"We have confidence in the just outcome of this problem and we will take every step within our power to expedite that justice, but success needs the support of more than the Federal establishments or its administrators.

Job for All to Tackle

"It is a job for you and all like-minded Americans to transform the conviction of justice and democracy, which the vast majority of us have, into a vital and articulate force in this community which stands as the symbol of democratic America."

The cabinet officer told the Council, "we have a wonderful opportunity in the period ahead." He pledged his support in their future undertakings.

Mr. Krug asserted that he was only one of the 55,000 Interir Department employees devoted to the policy of non-segregation and said he was proud that all national parks and national monuments and other facilities under his command have been operated on a strictly non-segregated basis.

He declared that job opportunity is equally important and wants that extended to industry, commerce and business, as President Truman has expanded it in Government.

Not a Catchword

He said he was glad to have worked in the Tennessee Valley Authority, where it was "a reality and not a catchword" and added that democracy is the studied policy of his department.

During his discourse, Secretary Krug said he hopes the Supreme Court will reverse that "separate but equal" doctrine.

Belford V. Lawson, chief counsel in the Elmer Henderson case, which will be argued before the Supreme Court soon, also spoke.

Officials of the seven Greek letter organizations composing the Council were introduced and spoke briefly.

The organizations include:

Kappa Alpha Psi, Alpha Phi Alpha, Phi Beta Sigma, Sigma Gamma Rho, Delta Sigma Theta, Alpha Kappa Alpha, and Zeta Phi Beta. Elmer W. Henderson, director of the Council, also addressed the meeting.

Dean George A. Parker of Terrell Law School, who introduced Secretary Krug, declared:

"There should be a non-segregated policy applied to all recreational facilities in the District of Columbia, which is under Federal jurisdiction, as well as elsewhere."

Despite pressure brought by large and powerful groups on Mr. Krug, the dean declared, the Secretary refused to yield. He said "the fight will be won under such a leader as Mr. Krug."

Town Hall Group Hits Racial Snag In Capital At End Of World Tour

By VENICE SPRAGGS
(Defender Washington Bureau)

WASHINGTON—Members of the World Town Hall Seminar who were accorded great honor in 14 world capitals, came home to be snubbed practically within the shadow of the White House by the Carlton Hotel which refused them service because one of their group—Mrs. Edith S. Sampson, prominent Chicago attorney—was a Negro.

George Denny, moderator of the American Town Hall Meeting of the Air for 14 years, and director of the world tour, invited the group to be his dinner guests while here on a two-day homecoming conference with State Department officials.

At the Carlton, they were denied service because of Mrs. Sampson's presence, the management confirmed. The group went back to the Statler where they were living and were served without incident.

The cold-shoulder which this group of prominent Americans received at the Carlton raises the question as to what kind of a racial policy do Washington hotels follow.

As a general rule, use of facilities may be acquired for interracial affairs in several of the hotels, provided the number of Negroes expected to attend is very small. But to secure facilities, even on this limited basis, it is necessary for a white person of some status to front for the sponsoring group which is expected also to be predominantly white. Negro organizations making a cold request for the use of such facilities are coldly refused as a general rule. There have been some exceptions, as in the case of the Capital Press Club which held its 1946 annual dinner at the Willard Hotel. Other Negro organizations also have been granted use of Willard banquet facilities.

Recently when Mrs. India Edwards and Mrs. Charles Tillett of the Democratic National Committee entertained at the Carlton in honor of Mrs. Perle Mesta, United States Minister to Luxembourg, Mrs. Thomasina Johnson-Norford, Mrs. Anna M. Hedgeman, and Venice T. Spraggs, Chief of the Defender's Washington Bureau, attended as invited guests without incident. Later it was learned that the Carlton follows a hide-bound policy against interracial gatherings. But when Mrs. Edwards and Mrs. Tillet refused to bow to this policy, the management gave in, it was learned authoritatively. Here the deciding factor seemed to have been influence. But that is not always the case.

Take for example the honor dinner which the National Council of Negro Women and a Coordinating Committee of six predominantly white organizations are cosponsoring for Mrs. Mary McLeod Bethune, retiring NCNW president, even the influence of Under-Secretary of Interior Oscar Chapman could not persuade several of the hotel managers to liberalize their policy on accepting only a token representation of Negroes for an interracial gathering. Mrs. Bethune's party will be held in the Interior Department Cafeteria through the courtesy of Mr. Chapman.

Mrs. Elizabeth Christman of the National Women's Trade Union League, and Mrs. Edmonia Grant Davidson of the Council made the round of Washington hotels in quest of suitable space.

Mrs. Davidson said the Statler was cordial enough, but their banquet facilities had been booked for the entire week in which they wanted to give the dinner. Lately, several Negro guests have been housed at the Statler and eat in their dining room. She said the Washington Hotel "refused to even discuss the subject." The Willard was willing to grant use of their dining room, but she said it was too small. Their ballroom has been rented for office space they told her, and she later confirmed that this was true.

Mrs. Davidson said the reception accorded her and Miss Christman at the Hotel 2400 was "Like a breath of Spring," but unfortunately, the dates they had available would not suit the dinner committee's schedule. She said that this summer, several patrons of the Meridian Park summer theatre were served at the 2400.

It was at the Mayflower, Mrs. Davidson said, that the banquet manager laid it on the line. She said when she told him that about one-third of the guests would be Negroes, he said it was "unthinkable." She said he explained he personally was in sympathy, but there was nothing he could do about it. He said the management did not mind eight or 10 Negroes but that large crowds of Negroes mingling with white guests in the large corridor which adjoins the ballroom was frowned upon by their regular patrons.

Says Washington Symbol Of Nation's Standards

Daily World
Atlanta, Ga.

CHICAGO—(NNPA)—A colored person cannot maintain any semblance of dignity in Washington, the nation's capital, Dr. Ralph J. Bunche, director of the United Nations trusteeship division declared last Monday at a press conference in the office of the Chicago Council of Foreign Relations.

Wkly. 7-6-49

Dr. Bunche was here to address the evening meeting sponsored by the council in Orchestra hall, at which he discussed the situation in Palestine. He won international acclaim for his success in negotiating a truce between the Arabs and Jews in Palestine. 7-6-49

Recently he declined an offer from President Truman of appointment as an Assistant Secretary of State, explaining that segregation in the capital was a factor in his refusal.

SYMBOL OF NATION

"I feel strongly about segregation in Washington because that city is a symbol of what the nation stands for," he said last Monday. "Practices of anti-racial discrimination are much worse there than in communities where the blame for such practices can be placed on the local government."

Dr. Bunche conceded that many men "in high places" in Washington do not accept or condone discrimination in the capital, but he added: "The local population has no voice in the government. Giving the people the right to vote would make a difference. It made a difference here in Chicago. The situation in Washington is especially regrettable because it is not a traditional one. Fifty years ago there was no widespread segregation there. Since then there has been a retrogression."

"WARP AND WOOF"

Asked if aything was being done to bring about an improvement, Dr. Bunche pointed to the President's civil rights program and to the international declaration of human rights put forward by the United Nations. He agreed that it is impossible to legislate morality, but declared legislation provides "the warp and woof for efforts to educate people, to develop understanding."

Dr. Bunche said he felt the United Nations was getting stronger in the esteem of peoples throughout the world and that there is more cynicism here about the league's future than in other countries.

He expressed confidence in the future of the new state of Israel.

Judge Rules Segregation Of Races Constitutional

N.Y. Times.

By The Associated Press.

ALEXANDRIA, Va., Sept. 2—United States District Judge Albert V. Bryan has ruled that race segregation does not violate the Constitution or acts of Congress.

Judge Bryan made his ruling yesterday in dismissing five counts of a $58,000 damage suit brought by Mrs. Helen Nash, Washington Negro, on grounds she was refused service at the Washington National Airport dining room and coffee shop Feb. 17, 1947. He held that all of the five counts hinged on contentions that segregation was unconstitutional.

Sept. 9-3-49

The judge left standing one count asking $10,000 damages from Air Terminal Services, Inc., operators of the restaurant. In this count, Mrs. Nash charged that the restaurant operators failed to provide her with eating facilities equal to those provided for white patrons.

Last December, the Civil Aeronautics Administration issued a regulation ending segregation at the airport.

Racial Bias Abolished In PO Cafeteria

Journal and Guide

Surprise Move Ends Policy After Years Of Protest

Sat. 7-30-49

Special To Journal and Guide

WASHINGTON, D. C.—In a surprise move Monday morning, the Chief Printer of the United States announced that as of 8 a. m. July 25, all racial segregation in the cafeteria of the Government Printing Office should be abolished.

Norfolk, Va.

The news came after years of pressure on government officials by individuals, employees and interested groups to make the printing office fall in line with other federal agencies which have no segregation policies.

TEXT OF ANNOUNCEMENT

The text of the announcement is as follows:

"Due to the disapproval of the Public Printers Office, the following action has been taken by the general board of the Government Printing Office cafeteria committee.

Journal and

"You are hereby asked to eliminate the present practice of separate seating and service arrangements effective July 25, 1949."

The statement continued:

"The reasons given for this action are:

1. Space is limited in the cafeterias of government buildings.

Sat. 7-30-49

2. The action is not in Administration policies.

3. This action is not practiced in any other government building.

4. There were no rules covering this procedure (of segregation) before this meeting.

5. In the legal opinion of the congressional subcommittee headed by Rep. Adam Clayton Powell (D. N. Y.) investigating this practice as part of its study of the need for fair employment practices legislation, there is no legal basis for such action. (i. e. segregation)"

WOULD MAINTAIN STATUS QUO

Prior to this action by the head of the government agency, the cafeteria committee met July 18, and voted 23-21 at that time to maintain the status quo.

However, the department head immediately demanded the total abolition of segregation in the cafeteria.

If District Of Columbia Enforced Own Laws, J Crow Would Be Ended

Atlanta, Ga. Daily World

By Alice A. Dunnigan

WASHINGTON—(ANP)—"If the District of Columbia enforces its own laws, every jim crow restaurant in the nation's capitol would be out of business. So would hotels, drug stores, bars and barber shops that refuse to take Negro patrons on equal terms with white customers." This was the conclusion reached by a committee of men of Washington's most prominent and public-minded lawyers who did a lot of research on the matter.

Journal and Guide 8-9-49

The research revealed that the district government has the power, and by law, it has the duty to revoke the license of every white establishment for one year, from the humblest eating place to the swankiest hotel.

A law passed in 1872 by the popularly elected Legislative Assembly, back in the days when the District citizens had a voice in its own government, states in effect that any person who refuses to sell or wait upon respectable well-behaved persons, without regard to race, color, or previous conditions of servitude, in any place of business shall be fined a hundred dollars and shall forfeit his license for one year. This law specifies that such persons must be served in the same room at the same price as other respectable persons are served.

BROUGHT TO ATTENTION

Most people thought that this law had been repealed because it has not been written down in the latest legal code, and couldn't be enforced any longer. Its existence was brought to public attention last year when the report of the National Committee on Segregation in the Nation's Capitol was issued.

Not being contended to assume that such a law was still valid, this group from the National Lawyers Guild made a study of the existing law and found it to be still enforceable. The report from the committee resulted in a group of 25 representatives of many different ways of securing enforcement of the D. C. anti-discrimination laws passed 77 years ago.

The group requested that district government fine and revoke the license of restaurants, hotels and many other establishments which practice discrimination against any well-behaved person.

A reply, received two months ago from the Corporation Counsel's office stating that it was "studying" the question, led the Coordinating Committee to conclude that all those interests in the city that have found segregation financially profitable will want to keep these laws perennially "under study."

CONFERENCE PLANNED

The committee has decided that in order to secure enforcement of the laws, a delegation of civic leaders should call upon and confer with district commissioners for the enforcement of these laws. It has also suggested that a campaign be launched to popularize the missing laws and to institute widespread discussion through radio, press, public debates and meetings.

The existence of such a law should be brought to the attention of organizations, clubs and church groups through speakers, discussion leaders and printed materials, and that such organizations and individuals concerned with the problems of segregation in the capitol be invited to support the movement to have the laws enforced.

As the first step toward carrying out the above suggestions the Coordinating Committee for Enforcement of D. C. Anti Discrimination Law has invited a number of interested citizens to meet at the headquarters of the NAACP. on September 8, to plan for a conference with the D. C. commissioners. Judge James A. Cobb will lead the delegation as well as make the appointment for this conference.

Daily World

Interior Dept. Recasts Swimming Pool Problem

WASHINGTON, D. C.-(NNPA)-Interior Department last Thursday tossed the swimming pool problem back to Recreation Board Chairman Harry S. Wender, who had made public a letter to Interior appealing for reopening of Anacostia pool so children will not go to "hazardous nearby streams and rivers."

An Interior spokesman said negotiations between the two agencies have not broken down, but the Department "is still awaiting," a counter proposition from the recreation group if the latter agency will not approve a proposed general agreement submitted July 21.

"Since swimming pools are the most difficult problem, we hoped to get an agreement on other recreation facilities which have caused no trouble, before tackling the pool question," said an Interior spokesman. "We can not see why we can't reach such an agreement."

Mr. Wender wrote Interior Secretary Krug last Wednesday that his department, not the Recreation Board, is to blame for the "lack of progress" in the matter of reopening the pool which was closed following an altercation between colored and white youths over mixed swimming several weeks ago.

FAULT PLACED

Earlier last week, Secretary Krug indicated he thought the delay was the fault of the District board.

Mr. Wender wrote that the board has received numerous protests and petitions to reopen the pool, including one from Representative John L. McMillan, of South Carolina, chairman of the House Committee on the District of Columbia.

In a letter to The Washington Evening Star, Mr. Krug last Thursday took to the task the daily press of Washington for irresponsible reporting on the closing of the Anacostia pool. He charged that such reporting "contributed to rather than minimized racial tension."

Mr. Krug stated: "The Anacostia pool was closed, not because I was 'scared'....by organized young demonstrations," but because tense racial frictions stimulated by excited citizens and newspaper coverage which emphasized the racial aspects of the problem threatened to erupt into serious violence.

"We closed the pool to ease the tensions. Had we adopted a compulsory rule excluding colored people from the pool, the surrender of hoodlumisim would have encouraged hoodlumism throughout the city."

Southern Bias Blamed For Bar To Negro In Bridge Unit

WASHINGTON, D. C.—(NNPA)—The "biased" vote of southern units of the American Contract Bridge League was blamed last Saturday by Victor R. Daly, president of the American Bridge Association, for failure of the league to lift its racial barrier.

"The referendum by which 28,000 members of the American Contract Bridge League voted to bar colored players from membership in the league establishes the fact that without the heavily biased vote of the southern units, the members as a whole are in favor of the elimination of racial discrimination," said Mr. Daly, adding:

"The vote was 41.5 per cent for, and 58.5 per cent against, with the South casting 81 per cent against.

"There are far too many outstanding men and women in the American Contract Bridge League to permit this situation to stand. Already plans are being drawn to bring this matter to the floor again at the coming annual meeting of the directors in Philadelphia in December.

"The American Bridge Association with thousands of colored players stands ready to cooperate with the liberal bloc within the league by refusing to compromise itself in any way by accepting any propositions from the league within the framework of segregation."

The results of the referendum on the question of admitting colored bridge players to the league showed that bridge players, from the South were given heavy aid from the West and Midwest in voting to exclude colored bridge players from membership in the league.

Many members of the league in metropolitan areas of the East, where the vote went heavily in favor of the admission of colored players, were reported to be inclined to challenge the results of the referendum among the league's 28,000 members.

The bridge players of New York, New Jersey and the New England States voted heavily for admission and Wisconsin, Minnesota and the State of Washington by smaller margins. The final tabulation showed that 64 per cent of the bridge players in the Northeast voted for admission of colored players and 36 per cent against; in the South, 18.4 per cent for and 81.6 per cent against; in the Mid-West, 36.7 per cent for and 63.3 per cent against, and in the Far West, 41.8 per cent for and 58.2 per cent against; total, 41.5 per cent for and 58.2 per cent against.

Refused Hotel Service

Town Hall Head Tastes Jim Crow

(Pittsburgh Courier Press Service)

WASHINGTON—A vast nation-wide radio audience was told last week that a hotel in the nation's capital refused to serve a party of distinguished Americans because one member of the group, Mrs. Edith S. Sampson, was a Negro.

This was revealed on the Town Hall meeting broadcast over a national hook-up as the members of the Round the World Town Meeting group brought their globe-circling tour to a close in the departmental auditorium here.

While the name of the hotel was not given over the air, it was later learned that the Carlton Hotel in Washington declined to serve the group which had carried the story of U. S. democracy all over the globe. The member of the group left the Carlton and went across the street to Washington's famed Statler Hotel where courteous service was rendered.

Two Negroes made the world tour, speaking in twelve world capitals. They were Mrs. Sampson and Walter White, NAACP secretary, now on leave. Mr. White was not present at the time the Carlton officials denied the group service.

Some of the nation's outstanding educational, civic and cultural leaders were in the group which met the affront in the Carlton Hotel dining room.

On the final broadcast of this group, several speakers alluded to the matter of American segregation and discrimination against its racial minorities. Brooks Emeny, president of the Foreign Policy Association, declared that the colored people of the Far East are suspicious of U. S. democracy because of racial attitudes prevalent here.

Several of the speakers, including Mr. White and Dean Althea Hottel, president of the American Association of University Women, pointed out that the question of U. S. racial discrimination was raised all over the world.

Dean Hottel, in answer to a question from the audience, told the nation that she was proud of the fact that the Association of University Women had expelled its Washington chapter because of the refusal of the local unit to admit qualified Negro women to its membership.

Washington Courier Stands Fast

WHILE reports of advancing liberalism come from all parts of the Nation, including the Solid South, Washington, D. C., the Nation's capital, stands fast in the bog of bigotry.

Nowhere in the world, with the possible exception of South Africa, are people of distinction who happen to be colored so humiliated publicly, and nowhere are these in authority so indifferent or helpless to do anything about it.

Neither the President nor Congress with their tremendous powers can put a single dent in the color bar.

It can truly be said that Washington is above all law and holds its every resident and visitor captive in the tentacles of tradition.

What is more alarming than the Bunche and Marian Anderson incidents is the fact that conditions are growing worse instead of better and the people are accepting those conditions with futile gestures of helplessness.

Everybody seems to shrug off Washington as hopeless, as the one place in the United States where progress is simply impossible.

There is no particular reason why this should be true of Washington alone.

Nobody believes that all progress along interracial lines is impossible in Atlanta, Birmingham, Memphis, New Orleans or Dallas, because conditions have improved in such places consistently.

Only Washington seems to stand fast.

Perhaps the problem has not been attacked in the right way.

Perhaps a peculiar approach is necessary because Washington is a peculiar city and will not yield to the usual methods.

We have no idea just what strategy to use in our capital city to place it on a par with other world capitals on the color question, but it occurs to us that since only one-third of the inhabitants of Washington are from the South, and that even these promptly drop their bias when traveling northward, it is probable that only a small minority of Washingtonians are wed to jim crow and cannot be divorced.

* * *

This would not be the first occasion in which a small group dictated what a whole community should think and do.

There has been sufficient exposure of the harsh facts of jim-crowism in the Nation's capital, and the sad tale is known all over the world wherever people read.

It seems to us that what is needed now is exposure of the harsh facts about the comparatively few individuals who are keeping the Washington system alive.

Who, specifically, are the individuals who are blocking progress toward democracy in Washington, D. C.?

Who owns the hotels, restaurants and theatres that discriminate against colored people, what is their background and what are their religious, fraternal and business connections?

Who are the individuals who make the decisions on real estate loans which make it difficult for Negroes to burst through the ghetto barriers?

* * *

Such information would be extremely interesting and, more importantly, its wide publication would have a highly moral influence.

In the past there has been a certain vagueness in attacking the Washington problem.

It now seems to be time to personalize the attack by pitiless exposure of the individuals whose power makes it possible for them to continue a policy of which most Washingtonians and most Americans violently disapprove.

Perhaps Washington is not standing fast through choice but by compulsion.

D.C. Recreation Board Holds Fast to Jim Crow

WASHINGTON

Giving indication that the "gradual elimination of segregation" is still far off, the Recreation Department refused entries of three colored participants in its annual tennis tourney this week.

Recreation Department officials, who have been fighting to secure Government-controlled facilities, last Wednesday turned down applications of Maurice (Flip) Jackson, Ernest Clark and Leroy Millender to vie in the tourney. Jackson, currently Howard University's tennis coach, was a former CIAA champion and ranking ATA player.

Richard Tennyson, director of the Recreation Department's tourney indicated that the department will continue to administer its policy of segregation on the playgrounds.

However, this is incongruent with the provisions as set out by Interior Department officials who pointed out that there "should be no backward steps," but that in the administration of the program all steps should be forward.

Tells Story

Mr. Millender, one of the participants who was turned down, told this story to the AFRO.

After filing his application, he called at the department on Wednesday and inquired as to when he could report for his match. He was told to watch the papers for the pairings and would see his name. After seeing his name in the paper, he reported to 16th and Kennedy St., N.W., where the tourney was conducted ready to play.

He reported to Committee Chairman Frank Shore, he said, and the latter, after expressing surprise he was colored, told him that the tourney was conducted on a segregated basis. This was the policy of the Recreation Department, he was told.

A ranking District player, Mr. Millender, who resides at 1833 14th St., N.W., said that after the policy was explained to him, he left.

Recreation Policy

I have followed with considerable interest reports and editorials in your paper regarding recreation facilities in the District, especially recent incidents involving nonsegregated use of certain swimming pools.

Apparently, from reports dated July 20 Secretary Krug has now agreed to the transfer of Federal recreation facilities in Washington to the District Recreation Board. This does not include the transfer of swimming pools which is still under discussion. I understand that this action was taken only after the Recreation Board amended its by-laws to delete references to segregated or designated facilities. If this is the case, Secretary Krug should be commended for acting in the highest tradition of a public servant charged with the duty of protecting the rights of all citizens. Whether or not such action was wise, however, notwithstanding the Recreation Board's change of its by-laws, remains to be seen. It is now up to the board to show that it, too, recognizes its responsibilities to all citizens, and that it will administer these facilities in a fair and impartial manner, and pursuant to Federal policy regarding public accommodations. Unfortunately, past conduct of the board in this respect leaves much to be desired.

In my opinion, the board's job would be considerably easier if it made a determined effort to explain to all citizens groups that it must of necessity administer these facilities in accordance with Federal policy regarding public accommodations, and that this policy recognizes no distinctions in race, religion, etc. If the board, itself, recognizes this fact, there should be no reason for further difficulty. The golf links, tennis courts, and swimming pools involved in this controversy are public property, the property of all the people. No one—Negro, white, Jew, or Gentile—has any right to exclusive use of these facilities. It should not be too difficult for the board and its employes to explain to those of us who do not wish to accept and use these accommodations as public property, to find accommodations elsewhere.

Without doubt, Mr. Krug, acting in behalf of the Federal Government, would have placed himself and his government in an extremely awkward position if he had accepted the original proposal of the Recreation Board for the administration of these facilities on a segregated basis.

ELBERT C. ROBINSON.
Washington.

Interior-D.C. Parley Slated Today on Pool Controversy

By Chalmers M. Roberts
Post Reporter

Negotiations to settle the swimming pool controversy begins today when officials of the Interior Department and the District Recreation Board meet at 1 p. m. with Secretary J. A. Krug in his office.

The segregation issue in an effort to end the closing of Anacostia pool June 30.

Just what kind of agreement, if any, can be worked out remains to be seen. The District board has insisted it will run the pools only on a segregated basis. Interior Secretary J. A. Krug has declared he will not agree to television to

said yesterday, however, that none of his personnel is now on duty during nonsegregated swimming swimming periods. Interior has supplied life guards for the morning hours at McKinley, currently being used largely by Negroes.

The way was paved yesterday by the Recreation Board for the pool negotiations. The board formally voted, 6 to 0, to change its by-laws. The change promises "every possible and realistic effort" toward ending the practice, but without a timetable.

The board then voted, 4 to 2, to adopt the present lineup of open white and Negro areas. Mrs. Alice C. Hunter and Root voted against the proposal yesterday. Mrs. Hunter wanted some playgrounds, which she did not name, switched to nonsegregated use at once. Mrs. O. G. Hankins, newest board member, was absent.

The by-laws change also will lead to eventual transfer after negotiations of Interior's golf courses, bicycle concession and boating concession.

Recreation Board Chairman Harry S. Wender, James E. Schwab and Christiansen were named to negotiate with Interior. Christiansen met yesterday afternoon with Root to gather financial and other data prior to today's meeting.

Yesterday's by-laws action followed approval of the proposal by Interior Secretary J. A. Krug. Krug said in his letter to the board that the board had "promised" its proposal n Krug's earlier letters and statements, including the one indicting he would not back down from his demand for nonsgregation of the pools.

Schwab pointed out that the board had made no such "premise" and Wender agreed that there were no conditions attached to the offer.

Associated Press

NOT READY YET

These pictures show what happened in the nation's capital last week when the Interior Department decided to enforce a non-segregation policy in public pools where only whites had swum before. The result was two days of small-scale rioting at the Anacostia pool, where 17-year-old Joan Sexton suffered two broken toes under the hoofs of a park policeman's mount (*left*) and eight other persons were injured in a series of nasty scrapes which were broken up finally by police. An Interior Department official blamed the rioting on "Communist agitators," regretfully closed the pools "until further notice." "Washington," observed the *Evening Star*, "is not ready for non-segregated swimming."

Our Opinions

Jim Crow And The Constitution

There is a possibility that a specific, direct ruling on the constitutionality of Jim Crow may be forthcoming soon from the United States Supreme Court.

Our leadership has always held that there is no way to square the segregation laws in some states with the citizenship guarantees of the U. S. Constitution. Up to now the issue has been cloaked in a shroud of legal technicalities that baffle all of us who are not trained in the law. One legal ruse after another has been used to buttress the Jim Crow system and the time has come for a direct and unequivocal answer from the highest court.

The possibility of such a decision developed last week as result of suit in the U.S. District Court in Virginia. The suit was brought against the Washington National Airport dining room which is located across the river in Virginia. It was filed by attorneys for Mrs. Helen Nash of Washington who was refused service in 1947.

Last week Federal Judge Albert V. Bryan of the U. S. District court flatly ruled that Virginia's segregation law does not violate the Constitution. This decision should be appealed to settle for all time the Jim Crow issue.

Regardless of the legal hair-splitting always involved in such cases, we are confident that all enlightened Americans would agree that racial segregation laws are morally wrong and violate the whole spirit of our democratic system. The time has come for Jim Crow to be outlawed and abolished as the last vestige of the dark area of human slavery in our great country.

Krug Makes Views Plain In Statement

Journal and Guide

Houston Gets Reply "There Will Be No Backward Step"

Sat. 9-10-49

WASHINGTON, D. C.—(NNPA) — Non-segregation remains the firm policy of the National Park Service and the Interior Department, Secretary of the Interior Julius A. Krug declared last week. Norfolk, Va.

Charles H. Houston, nationally prominent attorney, had asked Mr. Krug to clarify the Interior Department's policy in the matter of race segregation in the use of park and recreational facilities, including swimming pools, which that department has agreed to turn over to the District of Columbia Recreation Board. 38a

The two agencies recently signed an agreement providing for eventual operation by the recreation board of recreational facilities which are now under the jurisdiction of the Interior Department.

POOLS NOT COVERED

This "basic agreement," clearing the way for detailed agreements on each facility, does not cover swimming pools which has been the subject of controversy between the Interior Department and the recreation board. Interior has insisted upon their operation on a non-segregated basis, while the board has insisted upon racial segregation in their use.

There will be no backward step of any sort but there will be constant forward steps, Mr. Krug said in replying to Mr. Houston.

Assuring Mr. Houston that it has never been his intention, nor does he intend in the future, "to participate in any surrender or frittering way" of the policy of non-segregation, Mr. Krug said.

"Our current discussion with the District of Columbia Recreation Board concerning the operation of certain recreational facilities in the National Capital Parks System in the District of Columbia are based on two cardinal principles:

CARDINAL PRINCIPLES

"1. That recreational facilities which are primarily used for local and neighborhood recreation should be administered by the local recreational agency in accordance with the Recreation Act of April 29, 1924 . . . . and

"2. That all possible progress, with no backward steps of any sort, should be made in effectuating the President's civil rights program, not only on park lands administered by this department but in all public recreation facilities throughout the city of Washington.

"I agree with you completely that for the Federal Government to surrender its basic principles of national policy at the behest of a handful of demonstrators who seek to scuttle democracy would furnish communists and fascists both here and abroad an effective propaganda weapon. Such a surrender would adversely affect our international relations, and would clearly be inconsistent with the President's Civil-Rights program," Mr. Krug said and added:

NOT COMPELLED TO USE IT

"Any person who does not want to use a public facility because a person of another race is also using it is not compelled to use it. But if he uses the public facility, we do not propose to recognize that he has any right to have the Government prevent other people from using the facility solely because of their race."

"We intend to do everything in our power to prevent any further disorders in the use of public park facilities. As you may know, we recently retained Professor Joseph D. Lohman of the University of Chicago as a consultant to instruct our park police on the best methods of handling frictions and disorders arising out of racial tensions in the District."

D.C.

Negro Mothers Ask Court To End Play Segregation

Post. Sat. 9-14-49

Five Negro mothers yesterday asked District court for an injunction to allow their children to use public recreation facilities anywhere in Washington.

They said color-line regulations of the Recreation Board are unconstitutional, against public policy and deprive a minority group of property and liberty without due process of law. Washington

The mothers charge that their children, because fo the color bar, must go great distances to recreational facilities or else play on the streets. Such a choice may breed juvenile delinquency, they charged.

"Without Incidents"

Bringing suit in behalf of their children are Mrs. Georgia Byrd, 1258 Owen pl. se.; Mrs. Louise Jackson, 1046 16th st. ne.; Mrs. Adele S. Harris, 1435 Montello ave. ne.; Mrs. Louise Camp, 1526 Levis st. ne., and Mrs. Olive P. Johnson, 1636 Montello ave. ne. They are represented by Attorneys Frank D. Reeves, Leroy H. McKimmy and B. W. Lawson, jr.

Defendants are the Recreation Board, Milo F. Christiansen, superintendent of recreation; the Board of District Commissioners; the Board of Education and Julius A. Krug, Secretary of the Interior.

The suit according to the plaintiffs, is brought on behalf of all persons similarly situated. The plaintiffs say funds for public playgrounds come from all the taxpayers and that therefore, adequate facilities should be provided for all children.

According to the suit, from 1941 until July, 1949, both white persons and Negroes used the Wheatley School playground and the Trinidad playground "harmoniously and without incidents."

Police Reported Called

But on July 21, it is charged, agents of the recreation authorities refused the Negro children the right to play there solely on the basis of race or color.

Police were called, the suit says, and the children left when the officers left their patrol wagon and threatened arrests.

The Wheatley and Trinidad playgrounds are in the immediate neighborhood of the children named in the suit. They now must go between five and 12 blocks across heavily traveled streets to reach a playground that will accept them, they content.

Henderson's Comment

Journal & Guide

Non-Segregation Pools Disturb D. C. Public

Norfolk, Va.

By EDWIN B. HENDERSON
For the NNPA News Service

Sat. 7-9-49

WASHINGTON, D. C.—At St. Louis, Youngstown, Ohio, and now in Washington, D. C., non-segregated swimming is causing disturbances. The insistence of colored citizens that they share equally in the opportunity to swim in tax-supported swimming pools is adding heat to the torrid summer weather.

In Washington there are six public swimming pools built from federal funds. They are operated by Government Services, Inc., a quasi-governmental agency. This agency provides the services of the cafeterias in public buildings and for many other facilities on public grounds and buildings.

Under the strong liberal leadership of the Secretary of the Interior Department, there is an established policy that neight race tablished policy that neighter race nor color shall be a deterrent to the use of these government-owned operations for citizens of Washington or for those of you from around the nation or world who visit Washington.

For years, despite this liberal policy, no colored persons have sought to use the swimming pools generally attended by white people. During the past week, however, children to and groups of adults have been entering the Anacostia and McKinley pools for swimming. As a result, the whites have, in fairly large numbers, been staying away, or assembling in threatening attitudes about the colored swimmers. Several minor disturbances have been broken up by Park police. Sat. 7-9-49

The present crisis has come about because colored mothers have finally rebelled against the local prejudice which has denied to their youth swimming under supervision in pools in their neighborhood and which has brought home many a dead son. In the four year period, 1945-48, 111 persons have been drowned in Washington, of whom 37 have been children, in the 5-19 age group. Of these 37, 20 or 70.7 per cent have been colored. All were males, of 13 drowning of junior high school youth, 12 were colored boys, and practically all of these drownings have occurred in the Anacostia River and Kingman Lake, the unsupervised waters in the general area of the supervised pools.

Colored mothers have determined to decrease the worries about their children swimming in the unsafe water. They are tired of reading about the return home of a dead boy, who is as much a sacrifice to racial prejudice as though he were murdered by a sheeted band of cowards in Alabama, Mississippi or Georgia seeking to perpetuate white supremacy.

For a long time the Recreation Board of Washington has sought to secure control of federal recreation facilities in the park, the golf courses and the swimming pools. Their leaders have assured federal authorities that if they are given control they will operate the golf courses and other activities on the non-segregated basis. Their present action in this issue is all the proof needed that the composition of the present board is not to be trusted as to its promises.

Board Insists On Segregation

The Post P. 14
Washington, D.C.

pool was still in operation, with about 250 children swimming there. Of this number, GSI official R. J. McCarthy said, 245 were Negroes. Tue. 6-28-49

At the Anacostia swimming pool yesterday, another racial incident was reported during the time the pool was operated under GSI management.

Witnesses said that a group of approximately 30 Negro youths came to the pool at about 2:30 p. m. dressed in swimming trunks. While the youths were in the shower room, a fight started, in which one Negro boy's nose was broken, and another youth received a cut over his eye. The disturbance was broken up by park police, and the Negro youths left the pool.

Recreation Department officials yesterday estimated that an average of 6000 children use the six pools each week. They pointed out, however, that because of the tension over the two conflicting policies, McKinley Tech, which normally is frequented by between 2000 and 2500 persons on Sunday, had a paid attendance of only about 300 all day last Sunday. Most of those at the pool were Negroes, it was said.

One Recreation Department official pointed out that the decision to withdraw its personnel from the disturbed areas was based not only on the department's segregation policy, but also was a safety measure. Tue. 6-28-49

Milo F. Christiansen, Recreation Department superintendent, said yesterday the department's swimming program will continue to be carried on pending GSI action unless there is repetition of "incidents," in which case the instructors will be withdrawn.

Irving C. Root, National Capital Parks superintendent and a member of the Recreation Board, held a meeting on the pool situation with representatives of the Recreation Department, GSI, the Park Service and the Interior Department yesterday.

A spokesman said later that "several courses of action" were being considered in the event the Recreation Board withdrew from the pools.

This spokesman, who declined to be directly quoted, said he was told by GSI General Manager Robert T. Ayers that GSI probably would not be able to operate the pools on the suggested basis without a loss.

Several Channels for Funds

If the GSI trustees, which must act on any future plan, decide to withdraw from pool operation, the spokesman said Interior would "immediately exhaust every possibility" of continuing operation of the pools. He said there were "several channels" through which funds might be secured, all of them through Government sources to Congress, he said.

Dr. Paul Cooke, chairman of the recreation committee of the local chapter of the National Association

for the Advancement of Colored People, said his group "has not created this effort. We were not acquainted with what is going on." Dr. Cooke said NAACP has "not encouraged any group in this sort of thing. Our efforts lately have been to try to convince the President of the United States to step in and urge a change."

Miss Gertrude Evans, executive secretary of the District Progressive Party, said that while her group has been opposed to the "gradualism" of the Recreation Board, 'we have not been involved as an organization in these particular incidents."

The GSI contract with the Interior Department for operation of the six pools goes to March 31, 1951, and provides that no one shall be excluded from GSI activities because of race, creed or color.

The Recreation Board recently adopted as its policy a "gradual" end to segregation, with an initial experiment in interracial activities on two playgrounds being jointly sponsored with the American Friends Service Committee.

Poll by Telephone

Yesterdays' Recreation Board action was taken as the result of a telephonic poll, in which members were asked to approve or reject the following recommendation:

"The contract of the Interior Department with Government Services, Inc. for the operation of the six large pools under the jurisdiction of the Office of National Capital Parks provides that these pools shall be operated on a nonsegregated basis.

"As a result of the enforcement of this regulation, employes for the free swimming and instruction periods in the mornings on these pools are unable to conform to the regulations of the board requiring the staff to serve on a segregated basis.

"Recommendation: That the Recreation Board notify Government Services, Inc. that unless the program of free swimming and instruction conducted by the Recreation Department at Government pools is operated as in previous years, on a segregated basis, the Department of Recreation staff on these pools for the morning period will be withdrawn."

Voting for the resolution were Chairman Harry S. Wender, Walter L. Fowler, representing the District Commissioners, and Albert E. Steinem, representing the School Board. Voting against the recommendation were Irving C. Root and Mrs. Alice C. Hunter, board secretary. Out of town and not voting were James Schwab and Mrs. Gregory Hankins.

U.S. Cafe Ends Segregation

WASHINGTON—Another civil rights victory was won in the nation's capital when racial segregation was ended in the Government printing office cafeteria, one of the few remaining federally-owned eating places where Negroes were forced to eat on one side of a rail and whites on the other.

Removal of the rail came as a result of years of effort by the National Association for the Advancement of Colored People, Rep. Adam C. Powell, Jr., (D., N. Y.) and local newspaper reporters.

Leading the fight in the agency was Rev. Percy Jernagin, a veteran GPO employee, NAACP labor secretary Clarence Mitchell also enlisted the support of Democratic leader John McCormack of Massachusetts and Senator Francis J. Myers (D., Penn.) in the final fight against the GPO segregation.

Stars' Pacts Cause Furor

Bow to Restrictions in D.C. White Spots

By AL SWEENEY

WASHINGTON

A sharp difference of opinion is being expressed by Washington's amusement lovers over whether or not our night club artists are sabotaging the efforts of local militant organizations in their determination to extend civil rights to all District citizens.

During recent weeks there have been an unprecedented number of colored performers booked into downtown white night clubs, where colored patrons have been excluded.

This increasing practice of beige artists working in jim-crow niteries becomes even more alarming to the persons connected with the local civil rights movement as it is recalled that Actors Equity forced the National Theater to discontinue running stage productions because of the management's refusal to admit minority citizens.

The move by Actors Equity, which closed the National on Aug. 1, 1948, was hailed in liberal quarters because it was realized that it meant sacrificing the presenting of plays in a theater that was considered one of the most lucrative legitimate houses in the nation.

Currently, the colored performers appearing in white night spots include:

Maurice Rocco at the Merry-Land, 1405 L St., N.E.; Ethel Waters accompanied by Fletcher Henderson at the Blue Mirror, 824 14th St., N.W.; the Four Tunes, at the Quonset Inn, 3225 Naylor Rd., S.E.;

The Three Jones Brothers, La Conga Cafe, 9412 Baltimore Blvd., Berwyn, Md.; Nellie Lutcher, Club Kavakos, Eighth and H Sts., N.E.

Over the past few weeks some of the outstanding stars in cluding Pearl Bailey at the Merry-Land; Count Basie at Club Kavakos; and Billie Holiday at the Blue Mirror, have been working in the discriminatory night spots.

Incidents Occur

The appearance of the tan performers in the white clubs have not been without incidents. For instance, a report has it that Count Basie was told that he could not be served a drink at a table with a white person, while he was appearing at Club Kavakos.

Although several performers say that the white performers appearing on the same bill are allowed to sit at tables and drink with patrons, the colored artists are told that they have to do their drinking in their dressing rooms.

Why under such humiliating circumstances, do they accept such bookings?

Show Business Rough

One performer, whose name is withheld for obvious reasons, said:

"Look, show business is rough and we have to take what we can get. How do you expect us to solve that race question in Washington, something that has existed long before we came in here and will remain.

"This is our profession. Sure, I could raise a stink and make a lot of headlines, but I would kill myself in show business.

"A lot of big white stars have spoken out on issues as controversial as this and had a lot more money than we have and have been broken by the amusement industry.

"Surely, I believe in what the NAACP is doing. I have appeared in benefits for the organization and have given money. However, this is my livelihood and you can't ask me to give it up.

D.C. Good Shot

"Look around New York and you'll find some of the best names in the business looking for work. Washington at the present time is a good deal.. And I mean GOOD."

However, is there any excu for such stars as Billie Holiday, Ethel Waters, Ella Fitzgerald and Pearl Bailey, who are usually booked solidly for months, to have to accept even a week's work in one of these spots?

For an answer to this question I sought out Benny Caldwell, owner of the Club Bali, who gave a number of the "name" acts their first start.

"There is not a one of the "name" acts appearing in a downtown spot," he said, "that I haven't offered to book into my club at the same price or more than they are getting."

Another Side to Situation

He went on to point out that one of the artists told her booking agent not to book her into a "colored club." Another artist, Caldwell stated, who is slated to appear in a downtown club, was not supposed to be "available" for a District appearance, according to her agent.

Last year, when King Cole appeared at a local club his wife was refused entrance.

At the present time, so the AFRO was told, the colored acts are cautioned not to invite their "friends" to the place they are appearing and to "behave themselves."

By "behaving themselves" is meant not to fight the "race issue" because it is something of a triumph for colored performers to work in a white spot.

However, someone points out, the colored artists would not be booked into white clubs if they were not making money for the management.

As it is, some persons feel, show business is not so bad that if the performers wanted to they could have a non-discrimination clause written into their contract.

Granz Makes Stand

Norman Granz, promoter of the jazz at the Philharmonic concerts, is one of the outstanding attractions refusing to be booked into any place practicing segregation or discrimination.

Lionel Hampton withdrew his band from a dance engagement on racial grounds two years ago and has used caution in the places he books his band.

With Dr. Edwin B. Henderson's case against the National Theater for its refusal to admit colored; Equity's ban on playing the local jim-crow playhouse; the avowed effort of the AFRO to determine whether the "missing civil rights clause passed the Legislative Assembly of 1837" is valid, the $64 question being thrown at our artists appearing in anti-racial niteries is:

"Are you throwing a monkey wrench in the local civil rights drive machinery?"

The Shame Of Washington

Memphis World
Memphis, Tenn.

(From the New York Herald Tribune)

Now the whole story about Dr. Ralph J. Bunche emerges. The United Nations mediator who brought peace to Palestine rejected the other day an appointment as Assistant Secretary of State. He preferred to stick with the United Nations as chief director of the Trusteeship Council. And, besides the U. N. salary is $11,000 tax free, plus $3,000 for expenses. An Assistant Secretary of State gets only $10,000, out of which taxes must be paid. Again the government was unable to hire the best man for an important job, a chronic and lamentable situation.

But this was not the full explanation. Our national capital, for all its obligations as a world center, is in reality a rather backward regional community. The full ragbag of segregation, discrimination and racial prejudice rules in Washington. Dr. Bunche knows it very well. He raised himself by his bootstraps, he is a Doctor of Philosophy from Harvard, he helped to draft the U. N. Charter, he is a political scientist of world standing. General Donovan once called him "a walking colonial institute." It all comes to nothing in Washington, where one of the leading hotels barred a cultural meeting which had invited Dr. Bunche as chief speaker. Such is the artificial and primitive state of affairs in Washington, which causes Dr. Bunche to comment: "No Negro finds Jim Crow congenial. I am a Negro." And the fact that such considerations should influence an outstanding citizen to decline a call to high national service is reason for every American to engage in serious self-examination.

Dr. Bunche is only one man, but his case is utterly simple. We profess to be a democracy, but here is a sour contradiction. In the District of Columbia, of all places, we should be making better headway toward the goal of true equality. Washington is not local property; it is the pride and responsibility of all Americans. We think it is high time that President Truman and Congress, as elected delegates of all the people, got to work on changing Washington into a national city.

Negro Representative To Girls' Nation Brings Hot Argument

The News Birmingham Ala.

COLUMBUS, Ohio, July 1—(AP)—Shall Ohio's Negro Girls State governor go to Washington despite discrimination practices?

The American Legion Auxiliary says "positively not."

Other organizations and individuals say "yes." And they're fighting to send Joan Rankin to Washington as Ohio's representative to the Girls Nation, sponsored by the auxiliary.

The attractive 16-year-old Negro girl was caught in the middle of the discussion after the auxiliary announced she would not be sent to the nation's capital.

Joan earned the trip by being elected governor of Girls State sponsored by the Legion Auxiliary.

The Ohio State Democratic League, representing about 10,000 Negroes, joined the issue and asked the auxiliary to send her anyway.

Wednesday two state legislators introduced a resolution in the Ohio Legislature calling for a vote of disapproval of the auxiliary's decision to not send the Cincinnati girl to the capital.

Jul. 7-1-49 Page 9

THE WASHINGTON AREA American Veterans Committee announced Miss Rankin would be a welcome guest at the non-segregated AVC Club.

In a letter to the auxiliary here, the AVC promised to obtain rooms "in a hotel where they won't be bothered with segregation."

Despite the pleas, offers of aid and disapproval, Mrs. Carl W. Zeller of Gibsonburg, director of the Buckeye Girls State, said the Withrow High School student would not attend.

Girls Nation, like Buckeye Girls State, is sponsored by the auxiliary. The national assembly is to be held Aug. 21-27.

Miss Rankin has remained in the background. But her feelings were expressed yesterday by her mother, Mrs. Vernon Jones of Cincinnati.

"Joan still is hopeful there may be a change in the decision if enough pressure is brought to bear," Mrs. Jones said. "Joan would like to go and thinks the decision unfair. She would expect prejudice and discrimination."

* * *

THE CONTROVERSY SPREAD to Washington itself.

The Ohio State Democratic League wired President Truman urging him to use his influence to end race discrimination in the nation's capital.

The plea was similar to the resolution introduced in Ohio's Legislature.

No action was taken on the proposal.

Another Time Lapse

The Advertiser Montgomery Ala. Sat. 6-4-49

This newspaper is as weary of the conventional civil rights controversy as it suspects its readers are. Preoccupation with it is unwholesome. We even suspect that one reason it is a weather topic is that it is one of the few national issues which everyone may discuss with the authority of knowledge and experience. It's so much more difficult to give knowledgeable comparisons of the Brannan farm bill and the Aiken parity system than to toss off alarmed comment about the peril of F. E. P. C. to "Southern civilization."

Even so, we grow as splenetic as the next newspaper about the hypocrisy and ignorance of other regions about civil rights. What we try systematically to do is to rub the nose of some in the brutal pharisee segregation system of Washington, D. C. all within range of President Truman's morning constitutionals. It is brutal because it is carried on by subtlety and indirection; it is not frank and a matter of public law as in the South.

Now Time Magazine, although it is characteristically one of the most offensive of the civil rights holy rollers, now and again has lapses. Last year it benched its junior patter canarders and put its more repertorial senior editors to work on a story about Strom Thurmond. This piece faithfully drew the national pattern of hypocrisy.

Sat. 6-4-49

Then the patter slurrers, who learned to spell it Hummon and champion the Negro peons in some eastern fraternity house to which neither Negro nor Jew was ever admitted, took over again until this week's issue. Giving Hummon and Georgia a sabbatical rest, they did the following job on Washington:

"Husky Ralph J. Bunche, the U. S. diplomat who negotiated the Palestine armistice for U. N., went to the White House last week for a talk with Harry Truman. The President had asked him to become an assistant secretary of state, the highest government post ever offered a Negro. Bunche was greatly honored, he told President Truman—but he had decided to turn it down.

The Advertiser

"To White House reporters Bunche gave two tactful reasons: he felt his U. N. job (as director of the trusteeship department) was important; he could not afford to take a salary cut from his tax-free $14,000 at U. N. to a taxable $10,000 as an assistant secretary of state.

"But 44-year-old Ralph Bunche did not mention his most compelling reason. As an assistant secretary of state he would be one of the top government officials in Washington. But as a Negro, he would be barred from most restaurants, hotels and clubs in Washington. Bunche had gotten his fill of Washington before (as a specialist in OSS and in a State Department desk job.) While other officials of his rank lived in the more convenient Northwest section of the city, he built a home in the Southeast quarter. Around the corner from him was a public school, but it was for white children; Bunche had to send his two daughters to a Negro school nearly three miles away. There were other complications. Item: last March the

Major Allegations In Report On Race Bias In Capital Held True

By E. R. HENDERSON

WASHINGTON, D. C. (NNPA)—The proponents of segregation or racial discrimination are basing their opposition to the report of the National Committee Against Segregation in the Nation's Capital upon every technical mistake or minor error to justify practices. There are a few minor errors, but I defy any one to produce proof that the major allegations and the evidences of racial discrimination are at odds with the facts.

For example, it was an error to say that the A. A. U. was responsible for the practice of a few years ago of limiting the colored boy who won the marble championship to the Hit-local honors with his own race while the white boy in addition was sent to the national tournament and as soon as possible will make it the National.

SARAH F. MORSE.

New York, June 7, 1949

Segregation is illegal.

THE EDITOR OF THE NEW YORK TIMES:

If the citizens of our capital win self-government can we hope to see the end discrimination against Negroes in places in Washington or are

ment and a local newspaper.

It is true that the recreation department segregates Negroes in practically all phases of its programs and by its rules denies the white people to attend or participate in activities when these are conducted in a colored center.

Klein Asks Congress to End Segregation In Schools, Other Places in National Capital

Special to THE

WASHINGTON, March [illegible]—A bill intended to wipe out any segregation based on "race, color creed, national derivation or ancestry" existing in the District of Columbia was introduced in the House today by Representative Arthur G. Klein, Democrat, of New York. The bill opens with a declaration of Congressional intent which asserts that the public policy of the district is against such a practice.

In his measure Mr. Klein alleges that access to educational institutions is denied members of certain races and persons of certain color, and "by these practices of segregation and exclusion the opportunity of full participation in American life is denied to many citizens.

To strike out what he holds to be an "uneconomic and extravagant dual system" of schools, the bill would direct the Superintendent of Schools to administer his system "in a manner consistent with the public policy" outlined in the proposal.

To cope with alleged segregation in public places the bill bars the issuance of licenses to any place violating the public-policy declaration. Provision for appeal and hearings would be provided.

The bill says segregation takes place in the capitol not only in schools and colleges but also in housing, hospitals, hotels, restaurants, theatres, stores "and other places of public accommodations."

"The social and economic conditions resulting from these limitations tend to increase crime, disease and social disorders, it adds.

Mr. Klein says further in his bill that failure to abolish segregation in Washington "materially impairs the leadership of the United States in the cause of a democratic world." He says also there has been a "minimum of friction" where persons of different races and colors meet.

The District is governed by Congress through a commission.

'Too Much Jim Crow for Me'

D.C. Segregation Made Him Refuse U. S. Job, Says Bunche

Segregation and discrimination against Negroes makes Washington an unwelcome place for Negroes to live, Ralph J. Bunche said yesterday.

In an article in the current issue of Collier's, Dr. Bunche told the writer, Richard B. Gehman, that "'Frankly, there's too much Jim Crow in Washington for me—I wouldn't take my kids back there.'"

The former professor and administrator at Howard University, now with the United Nations, rejected the proffer by President Truman of a post as Assistant Secretary of State for Near Eastern and African Affairs. The offer came after Dr. Bunche's outstanding record as United Nations mediator between Jews and Arabs in the Palestine dispute. His Negro racial background was no barrier to success. It is, he said, a barrier in Washington.

"'I built a house in Washington while I was teaching at Howard,'" the article quotes Dr. Bunche. "'It was in a section of the city in which the whites predominated at that time. When we moved in, my daughters had to go 3 miles to school—I had to hire a driver to take them—even though there was a school for white kids just around the corner.

"'When I was in the State Department, representatives of other governments, who knew nothing about race prejudice, would sometimes call me up and ask me to meet them at the Mayflower or the Wardman Park or some other place for lunch or cocktails. My Negro friends and I had been refused service in many Washington public places so many times that I never knew what to expect . . . whether to accept or decline.

"'It's extremely difficult for a Negro to maintain even a semblance of human dignity in Washington.

"'At every turn he's confronted with places he can't enter because of his color . . . Washington isn't unique in this regard, of course—but after all, it is the Nation's Capital, and its racial practices have a great symbolic significance.

"'For my part, I have no desire to go back there.'"

When Dr. Bunche was in Washington two weeks ago and declined the State Department position, he made no mention of the segregation issue. At that time, he told reporters that financial considerations caused him to reject it. He now has an $11,000 salary free of income taxes plus some additional amounts. The assistant secretaryship pays $10,330 a year, subject to taxes.

Bunche Acknowledges Dislike for Jim Crow

Lake Success, June 2 (AP).—Dr. Ralph J. Bunche said today no Negro likes Jim Crow, but that he turned down a Washington job mainly because he wants to stay with the United Nations.

Bunche, top ranking director of the U. N. Department of Trusteeship Affairs, told a reporter:

"It is well known there is Jim Crow in Washington. It is equally well known that no Negro finds Jim Crow congenial. I am a Negro."

Says Washington Symbol Of Nation's Standards

CHICAGO—(NNPA)—A colored person cannot maintain any semblance of dignity in Washington, the nation's capital, Dr. Ralph J. Bunche, director of the United Nations trusteeship division declared last Monday at a press conference in the office of the Chicago Council of Foreign Relations.

Dr. Bunche was here to address the evening meeting sponsored by the council in Orchestra hall, at which he discussed the situation in Palestine. He won international acclaim for his success in negotiating a truce between the Arabs and Jews in Palestine.

Recently he declined an offer from President Truman of appointment as an Assistant Secretary of State, explaining that segregation in the capital was a factor in his refusal.

SYMBOL OF NATION

"I feel strongly about segregation in Washington because that city is a symbol of what the nation stands for," he said last Monday. "Practices of anti-racial discrimination are much worse there than in communities where the blame for such practices can be placed on the local government."

Dr. Bunche conceded that many men "in high places" in Washington do not accept or condone discrimination in the capital, but he added:

"The local population has no voice in the government. Giving the people the right to vote would make a difference. It made a difference in Chicago. The situation in Washington is especially regrettable because it is not a traditional one. Fifty years ago there was no widespread segregation there. Since then there has been a retrogression."

"WARP AND WOOF"

Asked if aything was being done to bring about an improvement, Dr. Bunche pointed to the President's civil rights program and to the international declaration of human rights put forward by the United Nations. He agreed that it is impossible to legislate morality, but declared legislation provides "the warp and woof for efforts to educate people, to develop understanding."

Dr. Bunche said he felt the United Nations was getting stronger in the esteem of peoples throughout the world and that there is more cynicism here about the league's future than in other countries.

He expressed confidence in the future of the new state of Israel.

U.S. Cafe Ends Segregation

WASHINGTON—Another civil rights victory was won in the nation's capital when racial segregation was ended in the Government printing office cafeteria, one of the few remaining federally-owned eating places where Negroes were forced to eat on one side of a rail and whites on the other.

Removal of the rail came as a result of years of effort by the National Association for the Advancement of Colored People, Rep. Adam C. Powell, Jr. (D., N. Y.) and local newspaper reporters.

Leading the fight in the agency was Rev. Percy Jernagin, a veteran GPO employee, NAACP labor secretary Clarence Mitchell also enlisted the support of Democratic leader John McCormack of Massachusetts and Senator Francis J. Myers (D., Penn.) in the final fight against the GPO segregation.

Segregated Swimming

In your August 4 issue I noticed an article that caused me considerable amazement. The article stated that Chairman Harry S. Wender of the District Recreation Board has cast the "blame" on the Interior Department "for lack of progress in settling the swimming pool question." He cites the numerous protests and petitions his board has received requesting that Anacostia pool be reopened (on a segregated basis). He further states that children are risking their lives in nearby hazardous waters. (Not a word about the Negro children who risk their lives for a chance to swim in the Potomac, the Eastern Branch, and Kingman Lake.)

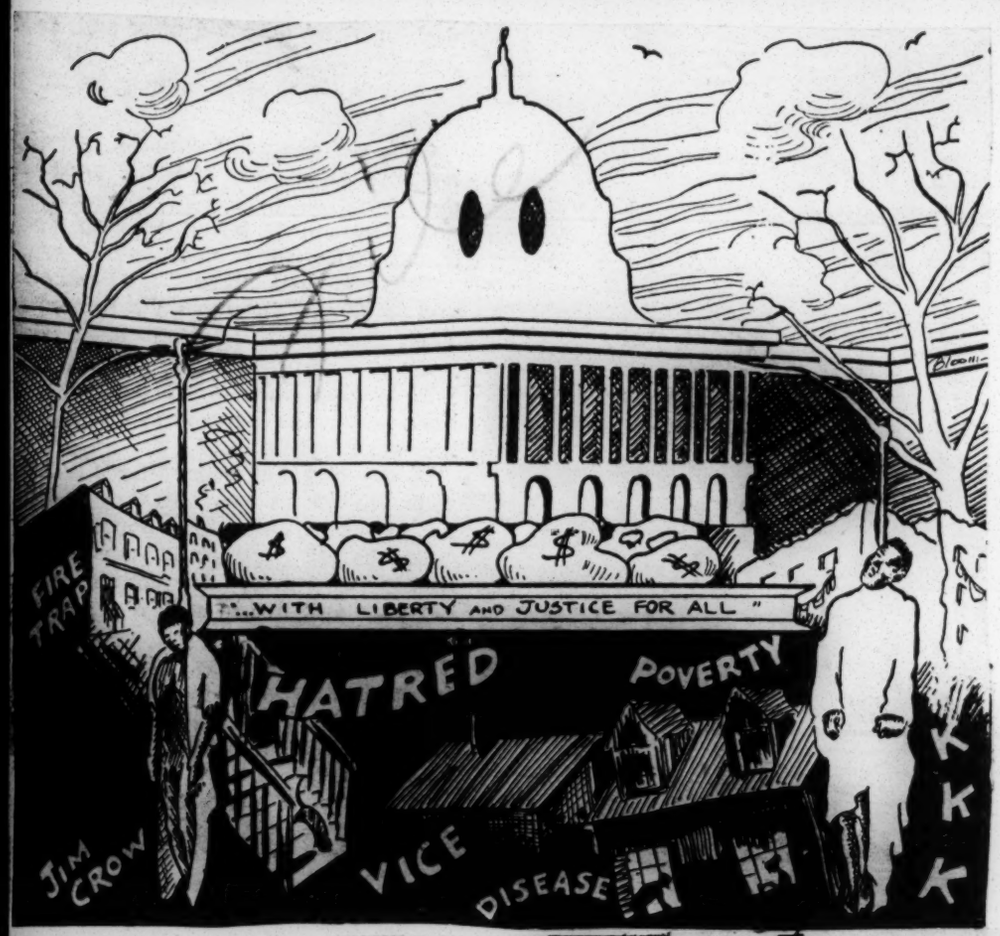
Chairman Wender is adopting the old pattern of continuing segregation in Washington. Whenever an "area" previously segregated is open to all there will always be a group that screams "there will be riots and bloodshed!" Thus when an incident occurs they appeal, not for protection by the law enforcement officers, but for a return to the status quo. They cite their liberality for equality, but insist upon "gradualism" which means nothing but continued segregation.

It is indeed heartening to see that the Interior Department has taken the stand that it has in the face of all of the criticism that has been heaped upon it.

JOHN N. DANIELS, JR.
Washington.

38 a 1949

D.C.



Congress Winks at Capital Jimcrow

Sun. 2-13-49

D.C.

38a

By MEL FISKE

A BOMB-LIKE report that ripped into the rotten foundations of segregation against 300,000 Negro residents of the nation's capital several weeks ago hasn't been felt yet by the House and Senate committees which run the city.

Committee members are carefully skirting around the gaping wounds opened by 87 prominent Americans whose report on Segregation in Washington last December blasted the United States Government for upholding the system of segregation against the city's Negro population.

Loaded down with white supremacists, the two committees controlling the city are not even considering a study of the report, much less any action on it. Nor are they contemplating a study of the four recommendations made by the President's Civil Rights Committee earlier last year.

Put on the spot by this committee side-stepping is President Truman and the Democratic Party. The chairman of the party is Sen. J. Howard McGrath (D-RI), who is also chairman of the Senate District of Columbia Committee, a post that makes him Mayor of the city. Heading up the House Committee is Rep. John L. McMillan (D-SC).

Big Business Bared As Father of Jimcrow

Aides in both their committees say they have no knowledge of the report and its contents. But both committee chairmen have been around Washington long enough to know about the vicious Jimcrow system that hits every Negro resident and every Negro visitor.

The report of the National Committee on Segregation in the Nation's Capital reveals that this system is fostered deliberately by the Washington Board of Trade and big business interests as a matter of good business policy.

"This segregation of the Negro is planned as a matter of good business," the committee charged. "It is not the poor whites who set the pattern, but men of acknowledged culture and refinement, the leaders of the community. "Allied against the Negro in this doubtful enterprise, in spite of contrary ideals and professions, is the full majesty of the United States government," the committee emphasized.

Responsibility for maintaining the Negro people in bondage is the government's, the committee said. "It is responsible because it, and it alone, has the power to break the chains that bar a quarter of a million Negroes in Washington from their equal rights as Americans," the committee charged.

"Worse, the government has helped to make the chains. Its District Courts have been used, unconstitutionally as it now appears, to force colored people into ghettos. Its lending, housing and planning agencies have been drawn into the general undertaking. Its District Commissioners, appointed by the President, and its various other officers, have helped maintain the color bar in municipal agencies, schools, hospitals and recreational facilities," the committee enumerated.

Whites Also Suffer Because of Jimcrow

The system of segregation imposed on the Negro people in the nation's capital stretches across the nation in a shameful pattern, the committee implied.

Hand in hand with the denial of basic American rights to the Negro people of the city has been the removal of basic rights from the white people of the city. Both white and Negro people cannot vote for their own city officials. They haven't any voice in the city government. They cannot vote in national elections. They are taxed without representation. 2-13-49

After the Civil War, popular and democratic home rule was established. After 1874, to prevent the Negro people from becoming equal citizens, home rule was abolished. After that the white supremacists began to capture the city.

Early-day Bilbos like Senators Hoke Smith of Georgia, Ben "Pitchfork" Tillman of South Carolina and James Vardaman of Mississippi led and incited mass meetings in 1912 against Negroes in the city.

And the late Sen. Theodore Bilbo of Mississippi, when he became chairman of the Senate District Committee in 1944, announced: "I wanted this position so I could keep Washington a segregated city." 2-13-49

This segregation has placed the Negro people in virtual slavery. They are "asigned by color to poverty." They live in ghettos, in sickness and trouble.

Thirty percent of the city's population, the Negro people make up 70 percent of its slum residents. Nearly 70 percent of those who die of tuberculosis are Negroes. Negro babies are twice as likely to die as white babies. The statistics mount up to become a carbon-copy of life in Mississippi.

The problem of segregation in the nation's capital is not the problem of the people of Washington alone. The government-sponsored Jimcrow system emanates from the capital city to enclose the nation. An attack on the system must come from the entire nation.

WHEN A FOOT IS PUT DOWN

Some indication of what can be accomplished when someone in authority decides to put his foot down can be seen in the edict last week ordering the National Capital Park Police "to eliminate discrimination because of race, color, religion or national origin in all its personnel actions."

Putting his foot down was Secretary of the Interior J. A. Krug who acted upon recommendations made by the five-member Fair Employment Committee of department officials appointed under Executive Order 9980.

The park police force of 113, with 100 white, is responsible for preserving order and preventing crime in the National Park areas of Washington and nearby Maryland and Virginia. Afro-American

As a result of the order, discriminatory practices which heretofore have kept colored officers on menial details and out of cruiser car and mounted police duty must be abandoned. Baltimore, Md.

Long a center of contention and grievances, the park police department must now straighten up and fly right.

What is important is the fact that the order by which discrimination is abolished has been in existence for quite some time waiting for someone to make use of it. In other words, what Secretary Krug did can be done by other executives whose departments are beset by the same undemocratic conditions. Sat. 6-4-49

We hope that they won't be long in following the Krug example. Certainly there must be enough victims of discrimination who are willing to file formal complaints.

Until such complaints are filed there is [illegible]ically, no basis for administrative action.

FIVE HUNDRED PICKET TREASURY DEPARTMENT IN PROTEST TO DISCRIMINATORY PRACTICES

Sat. 7-9-49

The Dispatch Oklahoma Oklahoma.

Sat. 7-9-[illegible]

38a

Spoksman Says Agency Shot Through With Racial Bias and Segregation

UPGRADING OF NEGROES BANNED

WASHINGTON — (ANP) — The fight to abolish discrimination at the Bureau of Printing and Engraving is continuing in Washington. On last Thursday a line of more than 500 persons picketed the U. S. Treasury department in protest against the discriminatory practices at the bureau which operates officially under the Treasury department.

Mrs. Th sa L. Robinson, chairman of the Citizens committee led the line. She pointed out that Secretary Snyder does not know the situation as it actually exists at the bureau. "We knew of no better way to let him know than to do it this way as it has been a task to have an interview with him."

It was because the delegation from the United Public Workers-CIO has been constantly denied an opportunity to talk with the Secretary of the Treasury that the Citizens committee staged their first picket line around the Bureau of Engraving last week, hoping that the public demonstration would inspire him to meet with the group. 7-9-49

Instead, the secretary called in the press and denied that discrimination existed at the bureau. Therefore, the Citizens committee found it necessary to hold another public demonstration. It was a most interesting picket line with about 800 persons of all sizes from small children to old men, all classes from the shabbily dressed laborers to the well dressed professionals, all r.ces, obviously Negro and white, and presumably all religions paading in front of the Treasury building on the Pennsylvania Avenue side, while a line of more than 200 carrying interesting picket signs paraded on the 15th Street side.

In resenting Mr. Snyder's statement to the press, Mrs. Robinson said, "It is a well known fact that this agency is shot through with the poisonous venom of racial discrimination and segregation. Instead of calling press conferences to deny the existence of the well known practice of discrimination at the bureau, it would be better if Secretary Snyder and other Treasury department officials acted to carry out the intent of President Truman's Anti-Discrimination Orders for Federal agencies by meeting with the United Public Workers to resolve the problem."

Mrs, Margaret Gilmore, an official in the UPW local, who has been one of the key people in this fight to abolish discrimination, said that she hoped the delegation would be allowed to have an interview with Mr. Snyder after the delegation would be allowed to have an interview with Mr. Snyder after the breaking up of the picket line. "We are going to make another effort," she said, "and if he still refuses to see us we will find it necessary to carry this picket line to the White House next week."

A great number of the picketers were members of the International Hod Carriers Building Laborers union, Local No. 74, AFL, who have been out on strike for more than a month.

The 3,000 members of this union, who are now making $1.35 an hour are striking for a 15 cent increase which will bring their wages up to a meager dollar and a half an hour, while the employers are holding out for an increase of only eight cents.

T. G. Sampler, secretary-treasurer of Local 74, said, "We feel that the fight against discrimination is the concern of all Negroes in all walks of American life. A fight to abolish jim crow in government agencies will also help Negro communities in the nation's capital."

A successful fight to upgrade Negroes at the bureau, he said would be a victory for upgrading Negroes in other types of employment. For years he has fought to upgrade Negroes to the Electric Workers union and the Carpenter union he said He believes that if this fight is won it will go a long ways in helping him to win his fight in the AF of L unions.

Dixiecrat Plan Voted Down

Afro American
Baltimore, Md
Sat. 6-11-49

Citizens Get Right to Elect 9 to Council

OPINIONS VARY

Status Quo on Race Expected to Remain

WASHINGTON (NNPA) — A Dixiecrat-sponsored amendment to the District of Columbia home-rule bill, designed to make improbable if not impossible the abolition of race segregation in the Nation's Capital, was rejected by the Senate last Tuesday by a vote of 27 to 49.

Later the Senate passed the home-rule bill led by a voice vote.

Co-sponsors of the amendment were Sens. James O. Eastland of Miss., and Olin D. Johnston of South Carolina. Sen. Spessard L. Holland, (Dem., of Fla.) joined Eastland and Johnston in speaking in support of their amendment. Sat. 6-11-49

Sen. Estes Kefauver of Tennessee, who was in charge of the home-rule bill, opposed the amendment.

Under the home-rule bill, the people of the District of Columbia would be given the right to elect nine of the 11 members of a council and all seven members of the Board of Education. Two members of the council would be appointed by the President. The elections would be conducted on a city-wide basis.

Legislative proposals of the council would have to be submitted to the Congress and, if not disapproved by the Congress, to the President. They would become law in 45 days after their submission to Congress.

The present agencies of the District government would be consolidated into 12. In this consolidation, the office of the Recorder of Deeds would be merged into a Department of Law, whose director would be the legal adviser to all officers and agencies of the government in place of the corporation counsel.

The Eastland-Johnston proposal would have required submission to qualified D.C. voters by referendum, any ordinance or law which changes law, policy, custom, rule, or regulation relating to racial segregation in schools playgrounds or recreational areas under the administration of the director of the Department of Recreation.

Sen. Kefauver said the committee took the position that the question of the abolition of segregation in the District of Columbia was not an issue to be considered in connection with the home-rule bill.

He argued that abolition of segregation would less likely occur if the matter was left to a council chosen by D.C. voters that with the District of Columbia government run by a board of Commissioners appointed by the President.

"The status quo on segregation is further protected in that if the council should pass a legislative recommendation changing any segregation law it would have to be submitted to Congress and to the President before it could become effective."

Approval of the bill was praised in some quarters and damned in others this week.

Perry Howard, GOP national committeeman, and J. Finley Wilson of the Elks, are a few of the national figures, who are opposing the home-rule plan because they feel that the control of the Recorder's office would be lost to colored.

Austin L. Fickling, local attorney, who testified in favor of the home-rule measure during the hearings held by the 80th Congress, hailed the Senate action as "wonderful." Sat. 6-11-49

"We have nothing to lose and everything to gain under the home-rule measure," Mr. Fickling stated. "There are certain people, who feel that the councilmen should be elected on a ward basis rather than at-large.

"Perhaps we would receive more representation under such an arrangement, but I am willing to take my chances under the present measure."

When asked how he stood on the Recorder of Deeds phase of the bill, which will find the agency brought under the District control, Mr. Fickling stated:

"I feel that we have to take our losses as well as our gains. The Recorder of Deeds position is strictly political and means very little to District residents.

Playground Policy

Residents of the Trinidad section of the city are seriously questioning the sincerity of the D.C. Recreation Board's June statement of policy of making "every possible and realistic effort toward removal of racial segregation in public recreation."

Before the department officially opened the playgrounds on the last day of school the children of both groups had been playing happily and peacefully together. As soon as the recreation instructors appeared on the Wheatley School playground at Montello ave. and Neal st., and at another located on Childress st. near Trinidad ave., they started chasing the colored children away. Hostile attitudes were created between the two groups, calling names and pushing each other around. Disorder and conflict soon arose where there had been peace and harmony. Jul. 2-12-49

The police are now helping the Recreation Department to enforce their segregation policy. They patrol the area and see that there is no mixing. Now Negro boys and girls have no place whatever to use for their play activities in the Trinidad area where they live. And then we become alarmed at the high rate of juvenile delinquency among the Negro youth!

C. G. MAYO.
President, Trinidad Community Association.
Washington.

Segregation End Rejected in D.C.

New Orleans, La.
(The Associated Press)

Washington, June 15—The District of Columbia recreation board Tuesday rejected moves to end segregation on public playgrounds here immediately. Tue 6-10-49

The action, on a 5-to-2 vote, was followed by a pledge by the same vote that "the board will make every possible and realistic effort toward the removal of racial segregation in public recreation, in such sequence and at such rate of progression as may be consistent with the public interest, public order and effective administration."

NEGRO TRAVELERS WILL be happy to know that the Greyhound Bus Terminal in Washington has abandoned its jim-crow restaurant policy. Last week, the concession manager agreed to serve Negroes in the main dining room instead of packing off hungry colored travelers into the dark and dirty basement cubbyhole where they have been previously served. This important gain is the work of the one-month Interracial Workshop which is operating here under the auspices of the Congress of Racial Equality. Significantly, this victory was won by conferences and conciliation although the CORE group was ready, with a large interracial group, to stage a prolonged sit-down in the cafeteria.

Incidentally, the manager, who was extremely reluctant to change his segregated policy and who did so with reservations, has told Workshop spokesmen that it has worked well. He said he had received no complaints and a few compliments. His records show that he didn't lose any business. His waitresses refused, at first, to wait on Negroes, passing off these customers to a Negro bus girl. But, gradually, this attitude has changed. The change is a bonanza for many Negroes who travel through Washington on buses.

No More Jim-Crow Tours of D.C. for Jersey Pupils

Because these high school pupils from Princeton, N.J., were jim-crowed on a recent educational tour of Washington the New Jersey State Department of Education has announced that if Jersey school boards or other school officials arrange such tours with segregation, State funds for these boards will be cut off and officials will face charges under State law. The girls in this picture were housed at Slowe Hall and other colored pupils stayed at Carver Hall. White pupils on the tour were accommodated in downtown Washington. The pupils shown above with their chaperon, Miss Pansy B. Leonard, are: Mamie Lee, Geraldine Buggs, Joan Brown, Maxine Beagles, Ann Garrette, and Estella Cooper. — (Speed Photo.)

Park Race Bar End Demanded by Klein

Representative Arthur G. Klein (D., N. Y.) has made a "demand" that the National Capital Park and Planning Commission abolish racial designations on District recreation areas.

General U. S. Grant 3d, commission chairman, has stated the designations follow congressional mandate.

The "demand" climaxed a three-time exchange of letters between Representative Klein and General Grant. The letters began last October and ended early last month.

The Justice Department, for a similar period of time, has been considering a legal opinion of the Interior Department solicitor that the National Park Service controls 62 playgrounds purchased with funds borrowed by the District from the Federal Government under the Capper-Cramton Act.

Opinion Promised Soon

Interior Department Solicitor Mastin G. White declared that the Park Service has the legal right to insist on a non-segregation provision as a condition of use of the lands by the District Recreation Department.

Justice Department officials have promised their opinion of the legal aspects of the case will be forthcoming "soon."

Representative Klein, in his letters to General Grant, charged that "your commission and the Recreation Board are deliberately engaged in a joint effort, by mumbo-jumbo double talk, designed to saddle the blame on Congress to maintain racial discrimination on many of the playgrounds in the Nation's Capital . . . I am completely convinced," he wrote, "that your commission has no authority to maintain such racial designations and produce this discrimination."

The question of who has the authority over and who shall set the policy for the District's recreation system has been extensively discussed by both civic and Government leaders during recent years.

General Grant, in his letters to Representative Klein, contended that the segregated playground policy follows congressional mandate and community pattern.

Act of 1864 Cited

The question of separate school systems for whie and Negro pupils, he points out, was raised during the Civil War, when an act passed by Congress in June, 1864, specifically established a dual school system.

The first public playground system established for Washington, under an act passed in 1911, set up a dual playground system, which operated under the District Commissioners until 1942, when the present Recreation Board was organized, he said.

General Grant contends that all purchases of parkland for recreation use made by the National Capital Park and Planning Commission have been reported to Congress with "white and colored units clearly differentiated.

Solicitor White has contended that the lands purchased with Capper-Cramton funds are part of the park system of the Dstrict and consequently under the control of the National Park Service.

The contention of General Grant and the Recreation Board is that the Capper-Cramton Act of 1930 officially designates these lands as belonging to the District of Columbia, since there is a provision in the act for repayment by the District of Federal funds spent for the parklands.

Put Under Park Service

However, an act passed in 1924 establishing the Park and Planning Commission declares: "The park system of the District of Columbia is placed under the exclusive charge and control of the director of the National Park Service, under such regulations as may be prescribed by the President of the United States."

In his latest letter to Rrpresentative Klein, General Grant stated: "It must be evident that the recreation plan, which provides for a dual system of playgrounds, although prepared by our commission in accordance with what was evidently the intent of the law and of Congress, is no longer our commission's plan, but is actually the Congress' plan, twice adopted by it and annually approved by it, and that our commission's authority with regard to this plan is limited to technical and territorial revisions from time to time to meet changed conditions in accordance with the over-all policies established by Congress."

Board Adopts Segregation Compromise

Education Unit's Action Puts Steinem Against Root's Plan

By Chalmers M. Roberts

Post Reporter

The Board of Education yesterday, in effect, instructed its representative on the District Recreation Board to vote for a "compromise" in the segregation issue.

The action appears to doom efforts to end the segregation policy of the Recreation Board on which a vote is scheduled June 14.

After an hour's spirited discussion, the education board tabled, 4 to 3, a motion to instruct its representative to vote for elimination of segregation in all recreation areas and activities. Two members were absent when the vote was taken.

The representative, Albert M. Steinem, one of those who voted for the tabling motion, said afterward:

"I feel I am instructed to vote against the Root proposal (to end segregation) and that I am free to vote for a compromise. I am inclined to vote for that compromise and probably will do so."

The motion to table, made by Adelbert W. Lee, was voted for by Lee, Mrs. Philip Sidney Smith, Steinem and C. Melvin Sharpe, president of the Board of Education.

Voting against were George E. C. Hayes, John Wilson and Mrs. Velma G. Williams, the three Negro members. Hayes made the original motion to instruct Steinem to vote for an end to segregation.

Absent were Dr. James A. Gannon, who left early, and Mrs. E. C. Magdeburger.

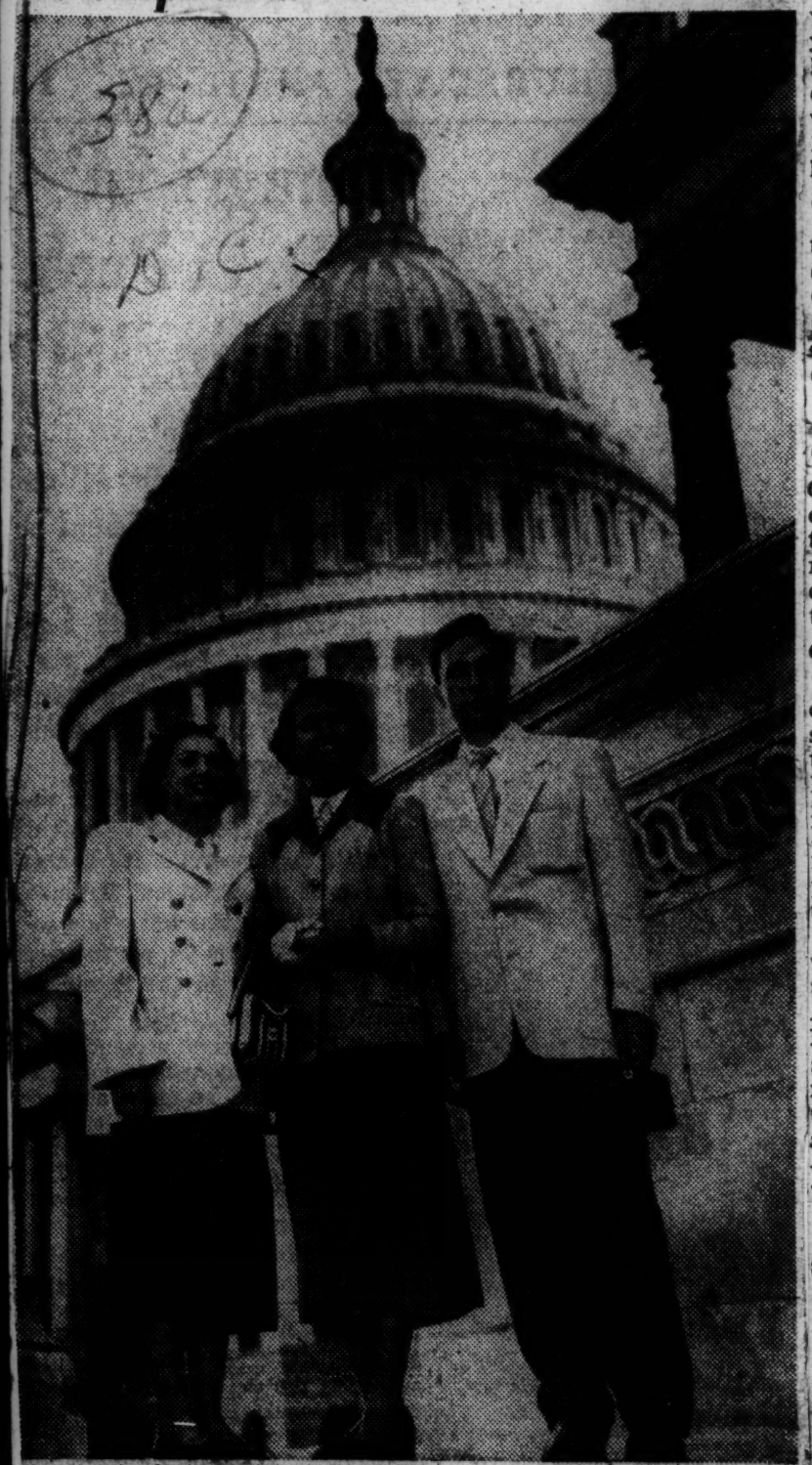
Steinem told reporters he personally would prefer to see the whole matter settled at a public referendum of District citizens. He did not bring up the suggestion at the meeting, however.

During the discussion, Steinem said he thought it would be best to see how this summer's "experimental" use of two playgrounds on a mixed basis works out before taking any further action.

Sharpe declared that to "follow through" the law relating to segregation in board activities.

Root's motion, however, now appears headed for defeat. At a recent meeting of the Recreation Board's by-laws committee, three members voted to disapprove the anti-segregation motion: Chairman Harry S. Wender, Vice Chairman James E. Schwab and Mrs. Steinem makes four drew Saul. Steinem votes, an absolute majority of the seven-member group. The "compromise" proposal by Irving C. Root, superintendent of the Interior Department's National Capital Parks to abolish all segregation in the by-laws committee, has never been made public by Schwab. It calls for an eventual end of segregation but points out many administrative problems to be worked out first. The "compromise" now appears assured of majority approval by the Recreation Board.

AVC Levels Racial Pathway In Capital for 65 N. Y. Students



The Washington Post

"FREEDOM'S" PERSPECTIVE—Examining the view from the steps of the Capitol yesterday are (from left) Shirley Solomon, Margaret Darnell and Robert Snyder, all 17, and students of Spring Valley (N. Y.) High. Margaret is treasurer of the senior class.

Because its 103 members included one Negro, the senior class of Spring Valley, N. Y., high school was not expected to visit Washington this spring.

Reports of racial discrimination in the Nation's capital had reached [illegible] to the village [illegible] fully-planned trip which would avoid "embarrassment" had been assured the students."

Is Class Officer

The one Negro class member was along. She is a personable, 17-year-old girl popular enough with her classmates to be elected to one of six class offices. Also along were three Negro graduates of the 1948 class who were denied a visit here when last year's trip was foregone because of them.

The same fate for this year's trip was avoided because members of the Greater Washington Area Council of the American Veterans Committee read in the newspapers of the Spring Valley class's decision.

"We thought it was a flagrant example of the thing segration can do," said George Brickelmaier, a Government employe here. "Without being flaming zealots about the matter, we thought it was terrible that high school children could not visit the Nation's capital because of it."

Offer Eagerly Accepted

The AVC wrote Spring Valley offering to house some of the students and arrange the whole trip. The class eagerly accepted. Brickelmaier, who had a special interest because he spent his boyhood in Spring Valley and knows many of the families there, was put in charge. He made a special trip to the town to work out details.

Yesterday 65 happy students were down from the Hudson seeing the sights. They visited the Pan American Union, the Washington Monument, the Smithsonian, and saw how money is made at the Bureau of Engraving. They watched the Senate deabte the housing bill, and their own Senator—Irving Ives—came off the floor to shake hands with them on the Capitol steps.

Last night the AVC was their host at its clubhouse; a dinner, a showing of Valentino's "The Shiek" and a dance. National AVC officials greeted them.

"Our purpose is to give them the best time they can possibly have in three days," Brickelmaier said—"not to use them as tools for a crusade. We've planned it so they will enjoy themselves and not run into 'situations.'"

The fact that the class was in town yesterday touring the sights did not mean there had been any sharp change in segregation policies here since that vote was taken last December but only that a careful-planned trip which would avoid "embarrassment" had been assured the students.

Is Class Officer

The one Negro class member was along. She is a personable, 17-year-old girl popular enough with her classmates to be elected to one of six class offices. Also along were three Negro graduates of the 1948 class who were denied a visit here when last year's trip was foregone because of them.

The same fate for this year's trip was avoided because members of the Greater Washington Area Council of the American Veterans Committee read in the newspapers of the Spring Valley class's decision.

"We thought it was a flagrant example of the thing segration can do," said George Brickelmaier, a Government employe here. "Without being flaming zealots about the matter, we thought it was terrible that high school children could not visit the Nation's capital because of it."

Offer Eagerly Accepted

The AVC wrote Spring Valley offering to house some of the students and arrange the whole trip. The class eagerly accepted. Brickelmaier, who had a special interest because he spent his boyhood in Spring Valley and knows many of the families there, was put in charge. He made a special trip to the town to work out details.

Yesterday 65 happy students were down from the Hudson seeing the sights. They visited the Pan American Union, the Washington Monument, the Smithsonian, and saw how money is made at the Bureau of Engraving. They watched the Senate deabte the housing bill, and their own Senator—Irving Ives—came off the floor to shake hands with them on the Capitol steps.

Last night the AVC was their host at its clubhouse; a dinner, a showing of Valentino's "The Shiek" and a dance. National AVC officials greeted them.

"Our purpose is to give them the best time they can possibly have in three days," Brickelmaier said—"not to use them as tools for a crusade. We've planned it so they will enjoy themselves and not run into 'situations.'"

Picket Line Protests 'Bias' At Engraving

The Citizens Committee to End Discrimination at the Bureau of Engraving," several hundred strong, picketed the plant at 14th and C sts. sw. yesterday afternoon.

Mrs. Therese L. Robinson, grand directress of civil liberties of the Elks and chairman of the committee, said the picketing, from about 3:30 to 4:30 p. m., was an expression of protest, "not a strike."

A spokesman in the office of Secretary of the Treasury Snyder in reply repeated the Secretary's statement Wednesday that there was "absolutely no foundation" to charges of discrimination.

Committee charges and comment by Alvin W. Hall, director of the bureau, follow:

1. The bureau fails to promote Negroes to skilled, technical, clerical or supervisory jobs.

Hall: Of the number of positions to which employes can be promoted without taking another civil service examination, a large proportion are held by Negro employes.

2. There is not a single Negro printer, engraver or machinist at the bureau.

Hall: All tradesmen are recruited from the Civil Service Register, and so far no Negro has been certified to the bureau. Until they are certified they can't be appointed.

3. Plans are now under way to dismiss many hundred Negro women employed as printers' assistants, many of them with six or seven years' experience, and replace them with others.

Hall: That is correct, but under a White House executive order war service appointees are required to take an examination to protect their positions. This was explained to the United Public Workers in January in a letter from the President of the Civil Service Commission.

4. The bureau announced an examination for veterans to become apprentice printers; after about 30 Negroes qualified for the examination it was called off.

Hall: The examination was called off because the bureau was able to secure improved labor-saving printing presses, and wished to avoid an over-manned situation. It affected white workers as well as colored.

5. Locker room and lavatory facilities are segregated.

Hall: There are separate but identieal facilities. Negroes are allowed to use toilet facilities throughout the bureau, however, and do use those in white locker rooms.

Racial Bias Laid to Bureau Of Engraving

Racial discrimination in the Bureau of Engraving is "widespread" and is apparent to even a "casual visitor," the Washington branch of the National Associaton for the Advancement of Colored People was told yesterday.

Nearly 200 persons attended the meeting in the Bible Way Church, 1130 New Jersey ave. nw.

The charge against the bureau was made by Thomas Richardson, executive officer, United Public Workers of America (CIO), who described the bureau as "one of the Government's facories in Washington in which discrimination is most widespread."

He said casual visitors could see Negroes and whites segregated "but both groups doing the same specific jobs." He claimed, out of some 3000 Negro employes there, "only 15 or 20 or 30 occupy jobs outside of the lowest" classifications.

Harold Buckles, secretary to Representative Arthur G. Klein (D., N. Y.), one of the other speakers at the meeting, urged NAACP members "to do everythng in your power to support the people in public office who believe in the democratic way."

'Lost Laws' May End D. C. Bias

WASHINGTON — Two "lost" District anti-discrimination statutes enacted in the 1870's are declared to be still in effect by the District chapter of the National Lawyers' Guild which has called upon the District Commissioners to take "appropriate" steps to enforce them "beginning with a near specified date." So far, the Commissioners have not commented.

Donald M. Murtha, president of the Washington chapter of the guild, made public an opinion signed by seven attorneys of the district affairs committee of the local branch in which they held that the anti-bias laws of 1872 and 1873, passed by the D. C. Legislative Assembly when the District had the vote, are still in effect.

The committee said that in enacting the 1901 code for the Dist., Congress repealed acts of the Legislative Assembly with certain exceptions. The seven lawyers argued that the effected anti-discrimination laws were "police regulations" and are included within the revised District code under that heading, although not specified there.

Atty. Charles H. Houston, one of the signers of the opinion, told the Defender that a "test" case will probably be brought to determine the legality of the statutes.

The two long "lost" statutes provided a fine of $100 and a year's revocation of license for any restaurant, hotel, soda fountain, barber shop, bathing house, bar-room and sample room which refused to serve "any respectable well-behaved person without regard to race or color" at the same prices and in the same rooms as other "well-behaved and respectable persons" were served.

The missing statutes were first brought to public notice in a report issued last December by the National Committee on Segregation in the Nation's Capital. The committee asserted that around 1900 the anti-segregation laws [illegible] mysteriously" disappeared from the District statutes. Since there was no record of their repeal, several attorneys believed them to be still in force and initiated a search.

Corporation Counsel Vernon West has been studying the status of the laws since the time the report was issued.

In addition to Houston, those on the local guild committee included Joseph Force, committee chairman, James A. Cobb, municipal court judge, Daniel Crystal, Margaret A. Hayden, J. H. Krug and Herbert S Thatcher.

U. S. Scientists Apologize For Affront to Ethiopian

Envoy Asked To Leave Box

Washington, Sept. 15 (AP)—The American Association for the Advancement of Science tonight expressed "profound regret" to the minister of Ethiopia for a "serious affront" it said the minister suffered at Constitution Hall Monday night.

The association, which opened its centennial meeting in the hall that night, said it had been reported to them that the Ethiopian minister had been asked by an usher—at the instruction of an unnamed woman—to leave his box and "take a seat elsewhere in the hall."

An association statement said that after the incident the minister "left the hall."

Hall Is Owned by D.A.R.

Constitution Hall is owned by the Daughters of the American Revolution. The D.A.R. figured in controversies in the past because of its refusal to rent the hall for concerts by Negro artists, except for charity affairs. However, there was no indication in the scientists' statement tonight that the D.A.R. figured in the latest incident.

The association said the "incident" had been reported to it by a representative of the Yugoslav Embassy who had been sitting in a box next to that occupied by the Ethiopian minister during the meeting.

It was at this same meeting that President Truman addressed the scientists.

Early tonight, the association released the text of a letter sent by its president, Dr. Edmund W. Sinnott of Yale, to the Ethiopian minister, His Excellency Ras H. S. Imru.

"The officers of the American Association for the Advancement of Science," the letter said, "have learned to their acute embarrassment of the serious affront which was suffered by the minister from Ethiopia . . . at the opening meeting of the association in Constitution Hall on Monday evening.

Associated Press Wirephoto.
RAS H. S. IMRU
Gets scientists' apology.

Step Forward

A definite contribution to the elimination of racial segregation in Washington's public facilities is contained in the report just completed by Chairman Harry S. Wender of the District Recreation Board. Mr. Wender's report is in the nature of a reply to some of the rather sensationalized findings of the National Committee on Segregation in the Nation's Capital. If the new survey does not succeed in answering all that committee's damning observations, it at least points the way to a new and positive approach in recreation policy by demonstrating factually that the pattern is away from segregation.

The most constructive portion is Mr. Wender's evaluation of existing practices in Washington auditoriums, recreation areas, theaters and the like. With few exceptions, he notes, either public and private auditoriums are flatly unsegregated or they allow groups using their facilities to determine admission policy. The pattern with respect to motion picture theaters is somewhat more rigid, but even here discrimination is weakening—and with such stage plays as Washington still enjoys nonsegregation is the rule.

Absolute discrimination against Negroes in most restaurants of course remains a sore point, and Mr. Wender does not pull his punches in terming this "among the most deplorable factors in our complex segregation pattern." Inasmuch as the report is concerned primarily with public meeting places and recreation areas, it does not go into the many other instances of discrimination in such items as public and semipublic employment, or the rigid and often embarrassing exclusion with respect to hotel rooms. Nevertheless, Mr. Wender's facts as to public facilities testify that nonsegregation is increasingly the general rule. The lesson ought not to be lost on those groups which have justified exclusionary action on the ground of "community pattern."

When Mr. Wender turns to a description of current recreation practices, his remarks are somewhat more vague. Although the Recreation Board inherited a segregated pattern, he accepts the fact that the board is now free to determine its own rules with respect to playgrounds, park areas and after-hour use of school buildings. This is the result of the decision of the School Board last fall and last week's action by the National Capital Parks and Planning Commission in removing racial labels from its master plan.

As a first step in adapting recreation practices to community mores, Mr. Wender recommends that school buildings be made available to interracial use at the discretion of the superintendent of recreation. Admission policies would be left to groups using the facilities, thus providing for nonsegregation on a voluntary basis. Beyond this, Mr. Wender believes that the Recreation Board must reconsider its own rules, which now require segregated programs. However, the way is open for the Recreation Board to grant on an experimental basis the request of the Society of Friends to operate two playgrounds on an unsegregated basis this summer, and we hope the delay asked by the School Board will not prejudice a favorable vote.

More important than an immediate and universal abolition of segregation is a timetable—a timetable to be implemented just as rapidly as experience will justify. Occasionally Mr. Wender's forthright recognition that recreation policy has lagged behind community mores in this respect seems to be coupled with a curious reluctance to take the lead. A community pattern, of course, does not just grow; it is conditioned by individual acts, and in this respect public officials have a responsibility to enunciate the policies to which the pattern usually adjusts. Nevertheless, the problem of segregation will ultimately be solved not in the abstract or in terms of rules, but on the level of individual personalities. If Mr. Wender's report helps to bring about more common meeting grounds of the races, it will have done Washington a genuine service.

Recreation Compromise

The District Recreation Board, after commendably agreeing to open two playgrounds to nonsegregated use on an experimental basis, is now faced with a concerted demand for a forthright policy of integration. The Department of the Interior, using carrot and stick tactics, is holding out the promise that all local recreation facilities under Interior control will be turned over to the Recreation Board if a nonsegregation policy is adopted. Meanwhile President Truman has conferred with the District Commissioners and presumably has expressed his belief that recreation should be nonsegregated. The Commissioners are represented on the Recreation Board by Budget Officer Fowler.

Already the statement of Assistant Interior Secretary Davidson has been decried as a form of coercion. Probably there is no occasion for Interior Department piety, in light of the somewhat smelly situation regarding golf course contracts. What is to be hoped is that members of the Recreation Board will conquer any resentment they may feel and rise above the conflict of personalities. Beyond the interagency squabble, the real question is whether the Recreation Board will adjust its policies to a pattern that is moving away from segregation.

Recreation Board Chairman Harry Wender, in an admirable survey of public facilities in Washington, pointed out how segregation has become the exception rather than the rule. Following Mr. Wender's own logic, we do not see how the Recreation Board can avoid repeal of its by-law calling for segregated playgrounds. What is desirable is not an immediate comprehensive abolition of segregation, but a definite statement of policy coupled with a practicable timetable. The board already has provided for integration on two playgrounds and is considering

Immediate Segregation Ban Demanded in Park Transfer

By Chalmers M. Roberts
Post Reporter

Outright abolition of segregation in the operation of the District's recreation facilities is essential to any "compromise" declaration between the Interior Department and the District Commissioners, would be considered by the recreation Board on operation of areas under jurisdiction of this department, the board must abandon its present segregation policy in all its activities.

"There are no legal or practical difficulties involved in the operation of recreation in the District of Columbia. "Before we will enter into any 'compromise' with the District Commissioners, once administrative problems are worked out.

The President last week talked call for eventual end to segregation, possibly to unit, possibly to unit. Davidson declared yesterday.

Davidson said it would be difficult for after-hour use of school buildings. Nonsegregation is a fact on Interior Department facilities and many city playgrounds when supervisors are not around. We are convinced that conscientious members of the Recreation Board, if they do not allow side issues to obscure the main point, must conclude that artificial prolongation of segregation is out of tune with the community.

obstacles to prevent the board taking such action at its next meeting (June 14) and the Interior Department representative will introduce such a resolution.

"Anything less than outright abolition of segregation in the operation of the D. C. Recreation Board will be not merely a compromise but a denial of the President's civil rights program."

Meanwhile, an Interior Department agency, the Park Police, disclosed three Negro policemen have been assigned to relief duty with cruiser patrols. They are Pvts. Grant Wright, Louis W. Dutch and Eugene Greenfield.

The action, by Capt. Mark Raspberry, followed complaints by a delegation of Negro policemen of racial discrimination in the force. The men were assigned to relief duty since there is now no regular vacancy.

The Catholic War Veterans Auxiliary by a unanimous vote at its first convention has gone on record as "vociferously" opposing "the inhuman practice of segregation."

The action was taken last Friday but not announced until yesterday. Attending the gathering at St. Matthew's Hall and St. Peter's Hall were 626 delegates from 32 States, including several in the South.

The resolution, a spokesman said, declared "man is made in the image of God" and that the Constitution "eliminates the idea of race, creed or color as being a qualifying factor for citizenship."

,$ahb. etaoi eta et et et etaoinnaa

Text of Wender Segregation Survey

Here is a factual case study of segregation in Washington's places of public assembly, as prepared by Harry S. Wender. For space reasons, comment on each facility is limited chiefly to Wender's own finding as to segregation or nonsegregation.

PRIVATELY OWNED AUDITORIUMS

Uline Arena: Until past year "policy of semirestriction was followed" but now changed "to admit Negroes on an integrated basis to all management-sponsored programs."

Constitution Hall: "Follows a unique custom . . . since its establishment, a policy of integrated audiences has been observed without racial discrimination, despite segregated practices elsewhere . . . Constitution Hall has uniformly forbidden their (Negro) appearance (as artists) at this great cultural center."

Lisner Auditorium: "While much publicity was accorded the early refusal of admission to Negroes, relatively little notice has been given the present established policy of permitting civic and educational programs only, allowing the party contracting for use of the hall to determine racial policy as to audience."

Turner's Arena: "Has always maintained a consistent policy of nonsegregation. . . ."

National Press Club Auditorium: ". . .auditorium has always been available for bi-racial programs and audience use."

U. S. Chamber of Commerce Building: ". . . has never restricted use of its excellent facilities, and bi-racial meetings of a civic nature have always been welcomed."

Board of Trade Conference Room: "Frequently used for bi-racial meetings involving civic affairs sponsored by board."

Cafritz Auditorium: "This and other halls in Jewish Community Center . . . have always been used on a bi-racial admission basis for programs sponsored by the center. Auditorium may be leased on same basis as Lisner."

Barker Hall—YWCA: "For many years the YWCA has followed a policy of nonsegregation in the use and rental of this centrally located auditorium and other meeting rooms for community activities."

Pierce Hall—All Souls Church: ". . . unrestricted as to program or audience use."

Pythian Temple and Odd Fellows Hall: ". . . available for rental on bi-racial basis for programs and audience."

St. John's Parish Hall: ". . . utilized for bi-racial civic functions."

Clendennen Gymnasium (American University): "Used for interracial programs . . . no audience segregation."

Labor Union Halls: "All CIO locals and a great many AFL unions meet without segregation, including the Central Labor Union. Some union halls are available for social and civic use without racial restrictions."

Hotels: "During recent years most of our largest and finest hotels as well as many smaller establishments have evidenced growing willingness to permit their various ballrooms to be used for bi racial meetings, dinners and other functions. Some of these, but by no means all, are the Statler, Willard, Mayflower, Shoreham, Hamilton, Wardman Park, Harrington and Washington. It is apparent that this policy is growing in momentum and that other hotels are gradually withdrawing opposition to integrated meetings."

Settlement Houses: "For many years our community settlement houses . . . have served as meeting places for bi-racial groups."

Folger Shakespeare Library: ". . . theater wholly unsegregated as to use."

Phillips Memorial Gallery: "Wholly unsegregated."

FEDERAL FACILITIES

"The Federal Government has always operated its auditoriums on an absolutely nonsegregated basis. Most are available for various kinds of civic, philanthropic, local, national and international activities. . . . All events must be on a nonsegregated basis." Most important facilities are Interdepartmental Auditorium, Commerce auditorium, New Interior auditorium, Old Interior auditorium, National Gallery of Art, National Museum auditorium, Archives auditorium, Congressional Library and Government housing facilities such as Arlington Farms.

"Both the District Court and the United States Court of Appeals have made courtrooms available for civic functions related to judicial problems . . . the use of courtrooms is always without any kind of racial segregation."

DISTRICT OF COLUMBIA AUDITORIUMS

(Except schools and public recreation facilities)

National Guard Armory: "Largest enclosed amphitheater in Washington where lessees determine racial use policy but virtually all presentations have been unsegregated. All National Guard affairs are integrated, including dances.' "

District Building Board Room: " 'Many' meetings here are 'integrated.' No permit fee is charged 'or racial restrictions placed on its use by civic groups.' "

Municipal and Juvenile Courts: Rooms used in same manner as Federal courts.

Public Libraries: Meeting rooms available by permit "for civic and cultural meetings, concerts, etc., including mixed gatherings."

D. C. Recreation Board Room: Meetings held without restrictions.

OUTDOOR ARENAS, AMPHITHEATERS AND PLAYFIELDS

(Except schools and public recreation facilities)

Federal Facilities: Playfields and picnic sites on park areas "uniformly administered" by Recreation Board "on a nonsegregatd basis, both as to players and audience." In case of league games, "league sponsors are solely responsible for determining any player requirements or restrictions."

Likewise nonsegregated are Sylvan Theater, Water Gate, Meridian Park and Arlington Amphitheater. "Spectacles" such as Fourth of July celebration, White House Christmas tree dedication and Cherry Blossom Festival unsegregated.

Griffith Stadium "never has followed an audience segregation policy." Among colleges and schools, Howard, Georgetown, American and Catholic Universities; Gallaudet, Gonzaga and St. John's Colleges and Sidwell Friends School are "principal institutions with playing fields where attendance is not restricted."

UNIVERSITIES

Howard: "No restrictions with predominantly Negro student body and faculty."

Catholic: "Negroes admitted as nonresident students."

Georgetown: "Negroes admitted to law school."

American: "Negroes admitted to off-campus graduate school."

National: "Faculty has indicated willingness to accept Negroes in law school."

(Wender did not mention George Washington University in this section).

PLACES OF WORSHIP

Catholic: "The Archbishop of Washington has announced that 'the doors of every Catholic Church in Washington are wide open to all who wish to come in and to pray and to worship Almighty God.' "

Hebrew: "Although there are few Jewish Negroes, no segregation is practiced in any synagogue or temple."

Protestant Episcopal: "Washington Cathedral and most other Protestant Episcopal churches have never allowed racial segregation."

Unitarian and Friends (Quakers): "Both are specifically integrated in membership and functions."

Washington Council of Churches: "Composed of most Protestant faiths. The Council itself is wholly unsegregated and is strong advocate for elimination of segregation in both churches and Sunday schools. Some member congregations are integrated and most white churches have no barriers against admission of other races."

RADIO AND TELEVISION STATIONS

"No racial segregation has ever been followed" by radio or television stations in their studios.

TRANSPORTATION

Public transit system has "traditionally been unsegregated." Trains and planes operating out of and within the District follow this policy. Public Utility regulations require no segregation in taxicabs. "No Negro streetcar or bus operators are employed by the transit company or other companies operating within the city."

RESTAURANTS

"Restaurant conditions confronting Negroes in downtown Washington are among the most deplorable factors in our complex segregation pattern. It is impossible for a Negro to be seated and served at any restaurant in the shopping section regardless of his station in life or economic circumstances. He may purchase practically anything else from almost any of our fine shops—but may not eat except at a lunch counter, standing up, in most instances. Otherwise he may buy food in a bag and eat it on the street or in a park. Aside from uptown restaurants, with primarily Negro patronage, and dining rooms at restaurants and hotels serving meals to groups, the following are the only places in the metropolitan area where a Negro may eat a meal while seated which we have been able to find: YWCA cafeteria, Union Station restaurant, Washington Airport restaurant ("CAA compelled concessionaire to serve Negro air travelers, despite Virginia segregation law"), Methodist Building cafeterias in Federal office buildings ("Negro visitors are the only ones to eat in the U. S. Capitol restaurant"), Point tea house, "a small bi-racial restaurant at 6th and F sts. nw," American Veterans Committee clubhouse.

NIGHT CLUBS

"Segregation policy generally followed in 'white' restaurants to in downtown clubs. Some Negro artists refuse to perve admission barriers apply. This has stimulated establishwhite neighborhoods. Some white people attend those hich cater primarily to Negro patrons."

MOTION PICTURE THEATERS

"Until the last year or two a strict pattern of segregation had rved in all downtown first-run theaters as well as local is adhered to in downtown clubs. Some Negro artists refuse to perform where admission barriers apply. This has stimulated establishment of 'midtown' night clubs catering to mixed patrons. . . ." .

Diner Segregation Goes to High Court

Washington Post
Tues 3 Feb 49
Washington Dc

By Chalmers Roberts
Post Reporter

The Supreme Court agreed yesterday to decide whether railroads in the South are discriminating against Negroes when they enforce segregation in dining cars.

The case involves Elmer W. Henderson, now director of the American Council for Human Rights and officers at 1130 Sixth st. nw. He brought the case in Baltimore but now lives at 3729 Jay st. ne. At the time, he was on Government business for the President's Committee for Fair Employment Practices, he said yesterday.

38a

Dates Back to 1942

The case dates back to May 17, 1942, when Henderson boarded a war-crowded Southern Railway train here for a trip South. At dinner, while the train was in Virginia, he was refused service at the two curtained-off tables generally used by Negroes, because they were partially filled by white diners.

Henderson brought a case before the Interstate Commerce Commission, which upheld the railroad, but the District Court in Baltimore later said the dining car rules did not afford "substantial equality of treatment." The railroad then changed its rules to provide one table for four persons exclusively for Negroes and set off by a wooden partition. When the ICC refused to act further, Henderson went back to court.

Said Ruling Didn't Apply

This time the court said the new rules removed the previous inequality and hence there now was no discrimination against Negroes. The court said the Supreme Court decision against segregation on interstate bus lines did not apply to dining cars. It said the dining car segregation rules didn't cause any more burden on Negro passengers than did the wait for seats which faced all passengers on crowded trains.

In appealing to the Supreme Court, Henderson, through Attorney B. V. Lawson, jr., declared the case involves these questions: Whether "segregation in discrimination because inequality invariably accompanies segregation," whether "a vacant seat may be denied any passenger solely because of his race" and whether a division of dining car seats based on the amount of Negro and white passenger traffic is "equality of treatment to individual passengers."

Acts in Two Other Cases

In two other cases involving racial issues, the Supreme Court acted yesterday.

Date 3-15-49

It ruled that the Seaboard Air Line must face charges from Negro firemen who said the line signed discriminatory agreements with the Brotherhood of Locomotive Firemen and Enginemen. The line had sought to have dismissed charges in one Federal court while an appeal from another Federal court in a similar case is being considered by the high court.

The court also set aside a lower court decision which held Hawaii's anti-foreign language statute unconstitutional. But the 7-to-2 decision did not rule on the constitutional issue. It sent the case back to the lower courts.

Denied Auditorium Use, Negroes Seek Mandamus Action

DAYTONA BEACH—Negroes here have announced that they would seek a writ of mandamus to make the Bethune Auditorium advisory board and the city commission show cause why Negroes are not being allowed to use the auditorium.

The action came after the advisory board repeated that it would bar Negroes from using the new $750,000 building even if it would mean a law suit.

J. H. Dickerson, secretary of the Negro West Side Business and Professional Men's Association, told the board that the case would be taken into court. The building was financed with a $750,000 bond issue.

Mrs. Bethune Fights Race Ban At Daytona Beach Auditorium

DAYTONA BEACH, Fla. — Dr. Mary McLeod Bethune joined a group of leading citizens this week in protesting a ruling which bans Negroes from the new $750,000 city auditorium.

The group gathered at the home of the noted woman educator after the ruling was announced by Chairman Richard Primm of the Auditorium Advisory board. Primm stated there were not any accommodations for colored in the new building.

G. D. Rogers, legal committee chairman of the Westside Business and Professional Men's Association, said the protesting group would thrash "the matter out in court" since other means of settling the issue had failed.

A writ of mandamus was sought before Circuit Judge Frederick, asking the City Commission, the Auditorium Advisory Board and the Mayor to show cause why the auditorium should be operated without the admission of Negroes.

The auditorium was dedicated last Thursday evening.

The suit, Rogers said, will be stressed on the fact that Negroes as freeholders helped pay for the building with their taxes.

Members of the committee filing the suit are Bernard Smith, Joseph Harris, Dr. E. A. Graham, Mrs. Florence Small, Herbert Thompson, president of the West Side Business and Professional Men's Association, John Dickerson, secretary of the Association and Clifford Jenkins, treasurer.

An Answer to An Unsigned Letter

The letter we publish below was addressed to this writer this week without the courtesy of a salutation of any sort and unsigned. The writer, quite evidently a white person, did not extend the usual greeting normally utilized by individuals when they communicate one with the other, and we presume this omission developed out of the thought the writer might have to confer a dignified and unforgivable "Mister" in the salutation.

Ordinarily we pay no attention whatever to anonymous writing, but the content of this communication is of such a nature we believe a constructive purpose may be served in dignifying same with attention, despite the fact its author lacked the moral courage to attach his name to the document. The writer may not have thought of this, but it would surprise him if we suggested that in this instance a black man has more moral courage than a white.

There follows the letter:

"After reading another of your long editorials, I feel compelled to finally ask a question of you and your race that I have wondered and puzzled about all of my life, or at least since I was 10 years old. I have thought about it pro and con and talked to a few members of the Negro race without intelligent or satisfactory answer. The thought is: Do you really want to be on the same level with white people? Would you really deep down in your hearts feel at ease and in place, allowed to mix with them in eating places, movies, etc.? And to freely and legally intermarry? I have read books, many, many of your papers, anything that I felt would present both sides of the question, and it is my contention that neither Negroes nor whites would really feel right about the situation and I do not believe the people in the northern states really feel 'right' about it, nor do the colored people. No, I do not 'hate' colored people, nor any other people, but I believe there would be a better mutual feeling among the two races if the blacks did not aspire to force themselves on the whites, and the whites did not mistreat or mix with, the blacks. In my humble opinion, there is no lower form of life than a white man who even touches a Negro, or a white woman who is friendly in more than a business like, impersonal way, with a Negro man, and of course, vice versa. In other words, what it boils down to is that who but a Negro could want, or love, another Negro? Same as to white people.

"As per your most recent editorial, I do not feel I am 'standing in the middle of the highway beating my chest and yelling "nigger",' but I cannot understand why the Negroes look to anyone other than their own race for their schools, universities, etc. Instead of crying about segregation and inequality, why not use your money and quietly go about building your own schools and hospitals, and quit trying to act as though you were a superior race, because you are not; your race has certain characteristics of which the skin color is not the least, and beliefs, that would never in a million years put you on a white basis. It would seem apparent to any ten-year-old person, white or colored, that this is inescapable fact. I do not mean whites should look down their noses on Negroes, but that Negroes should keep to their own race in all respects.

"Another thing I have wondered about, but no answer as yet, is this' If you colored people do not like Oklahoma, or the way things are done in Oklahoma, why do you not go and live in the northern states where at least outwardly the whites accept the Negroes as equal. I am not sarcastic; I am sincere in this question. It literally makes me sick at my stomach to realize that my little children may when they are of school age, have to sit side by side by Negroes. I am sure my opinion will not make the slightest difference, but I feel there are thousands like me, and that will make a difference. I do not want to see a race riot, and would like everyone to live peacefully, but cannot for the life of me see any solution to the Negro question unless they themelves realize that they must keep to their own race and quit shouting for non-segregated public places.

"Needless to say, I am not signing any name to this."

Since the writer is asking me questions and says he has never been given a satisfactory answer by a black man, we shall proceed instanter to provide him with answers to three questions he asks, namely:

"Do you really want to be on the same level with white people? Would you really deep down in years hearts feel at ease and in place, if allowed to mix with them in eating places, movies, etc., and to freely and legally intermarry?"

To all three of these questions this writer responds with an affirmative "yes," and we want to apologize to this man, whoever he is, for the contact he has had with an unquestionably large number of trembling Uncle Toms who lied when he queried them about equality and did not utter the truth. This writer wants social equality, and social superiority, whenever he is entitled to it. We want economic and political equality whenever we merit it in the realm of wisdom and understanding, and we ask the writer this question: "What right has he to issue a fiat, backed by nothing more than a stupid chauvinistic belief in white superiority, that I shall not achieve these goals?" "Who made him the social monitor of my destiny and fate, to the end that he shall say I cannot live on the same high moral ground where he lives; that I shall not have lofty ideals and justify my existence before God in the same proportion as any other individual?" Social equality is measured by the above designated yardstick. Who gave the authority to a white man to advise the black man he should not have virtue, integrity and moral soundness? That's what a white man tells a black man when he says he is not entitled to, and shall not have social equality. Certainly in this respect we hope we always will live above the level of social thinking as expressed by this unfortunate man who is unquestionably the victim of vicious propaganda fashioned out of the foolish myth that color has something to do with wisdom, knowledge and virtue.

Two thousand years ago this man's ancestors were unusually poor monitors and guides for themselves. One of the Caesars said twenty-five years following the birth of Christ he crossed the English channel and found white people stunted savages, living in caves. But forty centuries before that time dark people had named the stars, formed alphabets, established governments and empires and patterned systems of mathematics. Who was monitor then This very poorly informed and deluded person probably does not realize that no white race has ever produced an alphabet and that the very facility he uses today to control the world with force and violence came from the inventive genius of dark people. Africans inaugurated arts in iron and the Chinese discovered the formula for gunpowder. We wonder in those pristine days, where, in the limbo of reason, was secluded the white man's superiority?

Of course the second question is stupid. "Would I be embarrassed eating with him?" Since the writer feels as he

does, I might, if seated beside him, have the same emotional-ism and fears primitive animals have when the strong draws near the weak.. but we want to assure the gentleman we have eaten many meals alongside of civilized white people, which we enjoyed immensely and without even the thought of anything more than the excellent foods we were devouring and the satisfaction we were giving to hunger. There might be a few Negroes, because of the enforced conditions under which they have lived, who might have to adjust themselves to new conditions, but this condition of mind could not justly be checked up to innate inferiority, but to the cramped under-privileged conditions imposed by second-class citizenship. There are numerous poor whites who would feel some embarrassment if seated at the table with their congressman, United States senator, or wealthy members of their group. Our impression is that Negroes adjust themselves to new conditions with just about as much facility and promptness as any other group. We'd far rather choose opportunity at the table of equality and leave it up to the resourcefulness of individual Negroes to adjust themselves, than depend upon the questionable solicitude of the timid writer who quails when it comes to signing his name on the dotted line.

The writer of this communication takes time out to suggest "I do not hate colored people." Well, if the emotional disturbance affecting this writer when he wrote the above letter was not a species of hate, we would appreciate some wiser person than the writer identifying and and define the species or type of conscienciousness it is. For instance, the writer feels "there is no lower form of life than a white man who even touches a Negro, or a white woman who is friendly in more than a business-like way with a Negro man." The inference is he'd rather be around a snake or a skunk than a Negro.

We wonder whether this writer feels that same way about white people when they mingle with Indians, Mexicans, Chinese or East Indians? But of course he answered the question before we asked it. He says the lowest and most unforgivable human relationship develops in the inter-mingling of whites and blacks. The question quite naturally follows, "Why?" We would like for this man, who does not hate Negroes, to explain why he has reversed a ruling made by God himself. If God had intended that white and black should not mix He would have jammed a biological cross bar in the sexual machinery of the two to have prevented reproduction, as he has in other forms of animal life, which would have prevented the white man from groveling in the lust of black flesh as he has done since the days when men first constructed sailing vessels. We are reluctant to dismiss the belief that this man hates black people.

And in his discussion he raises a question that is fundamental. He suggests that black people force themselves on whites. Now the truth is white people forced the blacks to come to America and since his arrival here has forced themselves sexually upon black women. It is astonishing how this anonymous letter writer can reverse truth and reason in his effort to clinch a point. He should know that not only in America, but everywhere else on earth, amalgamation flows from the strong to the weak and not from the weak to the strong. It could not happen in any other way. The several million mulattoes in this country today evidence the utter abandon by which the white man has forced his sexual self upon black people, and insofar as this writer is concerned, we do not have to revel in the vain hope that some day we will be mixed with white people. We are that fact. We are already mixed and we did not do the mixing.

The entire question reduced to its lowest denominator is vested in whether or not the writer wants amalgamation to continue on the low, lustful, immoral plane where it today resides, or whether he would prefer to lift the lustful preference white men have for Negro women up to a moral and legal plane where white men would have to assume responsibility for their sexual urges and inclinations by giving black women their names, and giving their children by such unions their names. Here is a moral question where there is not much room for argument except in the realm of hate and unreason. Does the writer believe in moral decency or indecency There are unquestionably millions of white men living or and dead who have lived and are still living on the immoral level, which this writer characterizes as reprehensible and censurable.

Finally, this writer shows his utter selfishness or lack of information when he suggests that Negroes "use your own money and quietly go about building your own schools and hospitals." The writer is of course expressing opposition to Negroes attending school at Norman and Stillwater. Now the truth is that it is "our tax money" along with the white man's tax money that erected and paid for the schools at Norman and Stillwater. The writer is arguing from a false premise. Negroes are not asking to get into white schools, but they demand the right to attend a tax supported college partially built with tribute exacted from them by the state. The same facts apply to the State University hospital. It, too, is built by tax derived from all of the taxpayers of Oklahoma irrespective of race. The writer, however, overlooks the fact that a Negro quite recently built a hospital, unaided and alone, right here in Oklahoma City. The writer concludes with the wild suggestion that if we don't like home to emigrate. People first of all, when they don't like conditions at home, try to correct the circumstances and the fundamental characteristics surrounding their environment. Only the intolerant and the bigoted would deprive them of the right to think and the right to constitutionally act in the environment where they reside. Of course, if the writer wants to practice what he preaches he could do a little moving himself.

The only proper and accurate appraisal our informant made of this writer is that we are long-winded and write lengthy editorials. This we admit and we are gratified to know we have attracted the attention of a man who needs light, understanding and social vision. It is our definite purpose to punch through such psychological morbidity as we find residing in this unfortunate man who hates, but does not know that he hates.

Real Help To Negro

What Black Belt Is Doing Is Something All Outside Trouble-Makers Should Ponder Over

BY FRED TAYLOR

The nation in general and the South in particular should take note of what Alabama's Black Belt is doing for the Negro. It is something that outside meddlers and trouble-makers especially should consider.

This race-conscious section, where Negroes greatly outnumber whites, is making tremendous strides in its program of helping the colored man to help himself. And the Black Belters are doing a better job of it each succeeding year.

TAYLOR

The program was launched three years ago by a civic group in Uniontown, in the heart of the Black Belt. Uniontown's Exchange Club began it with an all-Negro dairy exposition.

When Uniontown's third regional all-Negro Dairy Show opens at 10 a.m. Thursday, it will be an eye-opening display of what can be accomplished through effort and racial understanding.

It is now much more than a one-city or one-county show. Joining with Uniontown and the rest of Perry County in backing this exposition are bankers, farmers, merchants and civic organizations of five other Black Belt counties. They are Dallas, Sumter, Greene, Hale and Marengo.

The Exchangeites there have had the active support of Alabama Polytechnic (Auburn) and Tuskegee Institutes.

Listed as co-sponsors with the Exchange Club this year are the Alabama Argicultural Center Board, Alabama Extension Service and Department of Vocational Agriculture.

* * *

SUCCESS BEGETS SUCCESS—It's the same old story about nothing succeeding quite like success.

One of the prime movers in this now areawide effort to give the Negro farmers a big economic boost is a Uniontown banker. He is Milton G. Walker, president of Planters & Merchants Bank and member of the Exchange Club's show committee.

He writes this column:

"This show has grown so much that it is now recognized as a regional show by Auburn and the Vocational Educational Department at Auburn."

Walker went on to point out that Tuskegee Institute not only is a co-sponsor of the Negro Dairy Show, but has county agents in the Black Belt counties.

* * *

GETS $5,000 AWARD—"The State of Alabama was so impressed with our efforts," writes Walker, "that about two months ago the State Center Board awarded us $5,000 to be given on the erection of a coliseum to be used as a permanent home for the show.

"The state this year also awarded the Negro school of Uniontown a vocational agricultural department. We feel that our efforts played a great part in the establishment of this much-needed department for this Negro school, which has about 1,000 pupils, who in the main are farm children.

"This effort on our part in Alabama's Black Belt—the place where it should certainly originate—is an honest effort to build sustained income for the Negro, balancing it with his long-standing cotton economy."

* * *

SOLUTION—Walker, like many other Black Belt leaders, is convinced that providing adequate income for the Negro will go far toward solving what he terms "the highly over-rated civil rights question." For that matter, he says, "it is the solution to any problem, regardless of color."

The Uniontown banker, in commenting on complaints voiced by Southerners about the lack of markets, said "at our very door we have about 8,000,000 Negro people who in the main need, want and would buy every type of goods and real estate."

"This," he adds, "is particularly true as to consumer goods."

The point Walker is making, is that if you provide these millions of Negro residents with the purchasing power, they'll buy the goods.

"It would tax the manufacturing capacity of the South for 20 years," emphasized Walker. "And, considering the fact that the new production would be sustained, it would simply place Southern manufacturing on an entirely new plane."

SOUTH HAS SOLUTION—"I think it is well that this line of thought should come from Alabama's Black Belt—the seat of the matter—rather than from Washington or other locations North whose information and contacts are more or less theory," the Uniontown banker's letter continued.

Albert Stapp, who grew up in the Black Belt and who learned at first hand how to deal with the bi-racial problem, recently had something very pertinent to say on this subject. It is well worth repeating.

"Our racial problems must be solved by evolution, education

Washington U. Paper's Plea That Racial Bars Be Dropped Endorsed

19 'Letters to Editor' Support Democratic Position; Only 4 Unsigned Ones Oppose It

WASHINGTON

The student body of George Washington University has endorsed the editorial opinion of the student paper, the University Hatchet, calling for the admission of colored students, by at least a 4 to 1 percentage, the editors of the Hatchet set forth this week.

That is the estimate arrived at following the reception of 23 letters by the publication's offices, which found 19 for the admission of minority group students and only 4 against.

Not one of the persons expressing resentment against the editors' opinion signed their names to the letters; while most of those endorsing the editorial board's stand identified themselves.

Council to Investigate Matter

As a result of the question raised by the Nov. 15 issue of The Hatchet, a committee to investigate the university's racial policy has been established by the Student Council.

Scotty Fleetwood, the council's activities director, is heading the committee, which will poll student reaction to the school's racial policy.

A cross section of the "letters to the editor" published in the Nov. 22 issue of the university paper, which showed a huge margin of endorsement of the editorial board's stand, follows:

Dear Editors: It is indeed a shameful and discouraging sight to see an "institution of higher learning" shutting the door to qualified students solely because they happen to be colored.

MYLES M. JOHNSON.

Dear Editors: Thanks for taking that first step in the right direction!

JEANETTE DORSAY

Dear Editors: We are striving to become a great university. We can never be one as long as we are either bigoted, hypocritical or cowardly. The time for a change is now.

CHARLES E. LILIEN.

Prefers Segregation

Dear Editors: Since there is available to colored students nationally-known colored university and universities that admit all races, is it not fair that there should exist a university where students who prefer segregation may enroll?

A MOST INTERESTED STUDENT.

Dear Editors: I hope you have planted a thought which will grow until bias and intolerance are destroyed at George Washington University.

IRWIN FASS.

Dear Editors: Your editorial is a fine statement of our "lab in democracy" I feel sure that a student-faculty poll would find a large majority in agreement with your stand.

GW Assistant Professor.
(Name withheld by Editors)

Intermarriage Bugbear Raised

Dear Editors: Unless the members of your board are willing that your sister, brother, son, or daughter should intermarry with colored persons you should recall your recommendation.

B. H.

Dear Editors: Being a native of New York City, I have had colored classmates from public school through college, and have found that this policy brings no adverse results. On the contrary, it has helped the students fight the prejudice which might have been instilled in them by their parents.

JUDY FOELAK.

Dear Editors: I do not agree with your contentions at all, but I greatly admire you for the forthright treament of this important policy matter. Your courage in taking this stand earns for you the praise and respect of all students of the University.

PENNY BRANCH.

Dear Editors: I wish to commend you upon your intelligence and bravery in the handling of the editorial on a non-segregation educational system for GW. These days with fears rampant, it is wonderful to find a fight for democratic principles, especially when those believers will be labeled much beyond those terms.

A GW Instructor.
(Name withheld by Editors)

Dear Editors: As individuals, we are powerless. If we could reach higher authorities, then and only then can anything positive be accomplished toward our ends.

A Student.

Now Is The Time. . .

Dear Editors: You were certainly trying to chop chips out of punk when you directed your editorial effort toward obtaining admittance for colored students to the University.

Be practical. Do not go chasing off after trends. Almost invariably they are wrong or at least harmful.

R. D.

Dear Editors: As a former instructor at GW, I want to congratulate you for having had the courage to meet the issue squarely in a progressive manner—in keeping with our democratic professions and our position of world the administration will follow your lead in the very near future.

MARGERY TAYLOR.

Dear Editors: Indeed the time IS now, when GW is making such great progress in its physical expansion, to reconsider how we can make equality great progress in democracy on the campus by abolishing segregation.

C. PREVITE.

High Court Grants Negroes' Pleas; 2 New Justices in First Decisions

Special to THE NEW YORK TIMES.

WASHINGTON, Nov. 7—Allegations of racial discrimination played a large part in the deliberations of the Supreme Court as it announced today its first opinions of the new term.

There was an unusual burst of speed for a first opinion day, the justices handing down eight rulings, including one each written by Tom C. Clark and Sherman Minton, the newest additions to the bench.

Six cases were unanimously decided; in two there were dissents by Hugo L. Black.

In one of the racial cases, the Court by 7 to 0 held that a discrimination complaint by Negro firemen against the Brotherhood of Locomotive Firemen and Enginemen and three Southern railroads could be tried in the Federal district court here.

In another matter the Supreme Court promised to review two cases where Negroes allege they have been discriminated against in Southern universities.

In still another, the tribunal held that a Negro murderer could not block his extradition from Pennsylvania to Georgia.

Justice Robert H. Jackson announced the opinion in the case of the railroad firemen. He held that they could properly ask for a District Court injunction in Washington instead of having to go to Cleveland where the brotherhood has headquarters.

Calling attention to a Supreme Court ruling of four years ago, Mr. Jackson said that if there remained "any illusion that under the Norris-La Guardia Act the Federal courts are powerless to enforce these [non-discrimination] rights we dispel it now. The District Court has jurisdiction to enforce by injunction the petitioners' rights to non-discriminatory representation."

Mr. Jackson also severely criticized agreements with Southern railroads by which the Negro firemen are "not promotable". He said the details of the case showed a "continuing and willful disregard of rights which this court in unmistakable terms has said must be accorded to Negro Firemen," The railroads mentioned were the Southern, Seaboard and Atlantic Coast Line.

In one of the alleged educational discrimination cases granted review, Heman Sweatt attacks the lagality of Texas statutes requiring segregation, and furnishing "equal but separate" facilities. Texas says it has established a univ., for Negroes at Houston, and plans a $250,000 law school building. In the second case of the kind, G.W. McLaurin demands admission to the Univ., of Okla., on a non-segregation basis. He states that he now has to sit in an adjoining classroom with the door open, and is barred from the regular library rooms and the principal part of the cafeteria.

In the case of the Negro murderer, he, Leon Johnson, was sentenced to life imprisonment in Georgia for slaying a woman. When Pennsylvania granted extradition papers to Ga. Johnson sued for a writ of habeas corpus, alleging he had been subjected to cruel treatment in the Southern state. An order issued by the Supreme Court today reinstates a lower court decision that the man is not entitled to the writ.

Justice Clark's first opinion invalidated a Wisconsin "emergency" inheritance tax when the levy is calculated on the basis of property outside of the state. Justice Black dissented briefly.

Justice Minton's first ruling held that William I. Connelly, a civil Service employee of the Coast Guard, was not entitled to a $1,500 annual deduction from his taxable income while serving as a temporary Lieutenant Commander in the Coast Guard Reserve.

New York Times
Tues. 11-8-49

Racism Hurts Us Abroad, Writer Says

WASHINGTON (ANP)—"America is on the defensive on the color question in virtually every country," Miss Doris Fleeson, feature writer for the Washington Post, said in a recent article, "United States on Defensive."

Miss Fleeson, who returned recently from a trip around the world, declared:

"What the United States does to colored America is well advertised.

Gains Not Known

"What it does for him and the extent to which his battles are fought by influential Americans in the South and North are not well known.

"Even the mitigating facts are not considered an excuse."

Minority Wins Friends

Miss Fleeson pointed out that "other people of color have made the colored American's cause their own to a degree startling to the traveler," she said.

"An American's reaction to dismay, irritation or a feeling that his country is being done a great injustice by this emphasis on the color question is largely determined by his own personal attitude.

"Certainly the situation seems out of perspective to one fresh from the debates in Congress on foreign aid. . . .

Officials Concerned

"But foreign aid is being done in the name of democracy and United States failures in that field are apparently considered fair game.

No American official can be found to laugh it off or say it does not matter; they believe it matters very much."

Actress Quits Show

Raps Jim-Crow Policy

MADELEINE CARROLL

BALTIMORE—Jim crow suffered another telling blow where it hurts most—in the pocketbook—this week when actress Madeleine Carroll deserted the cast of "Goodbye, My Fancy" because she became "nervous and upset" over a local theatre's segregation policy. Miss Carroll had been assured, reports say, that there would be no segregation during the run of the play here.

The famed English beauty, who gave up her screen career during the war to devote her time to servicemen and fought a gallant battle against racial and religious bias, stated that she would lodge a complaint with Actors Equity and the NAACP..

The original reason given for Miss Carroll's leaving the cast of "Goodbye, My Fancy" was illness, but a radio newscaster revealed that the actress quit the show last Saturday in direct protest of the theatre's jim-crow policy.

Miss Carroll is just one of a number of stars who have lashed back at segregation by refusing to appear in any theatres which practice it. Actors Equity has inserted a "non-discrimination" clause in its contracts to this effect.

It was intimated that Miss Carroll was forced to cancel another appearance in Pittsburgh due to the Baltimore incident. (Pittsburgh does not practice jim crow in theatres).

Miss Carroll could not be reached for a statement concerning her intent to file a complaint with Actors Equity and the NAACP.

Our Opinions

Is Jim Crow Tottering?

The legal basis for segregation as practiced in most Southern states is under direct fire today. Last week the Department of Justice through Solicitor General Philip Perlman asked the United States Supreme Court to scrap the "separate but equal" doctrine which supports Jim Crow.

The Solicitor General filed a brief with the high court in the case of Elmer Henderson versus the Southern Railroad. Henderson charged that he was discriminated against because of his color and denied equal treatment in the diner of the railroad when en route from Washington to Birmingham, Alabama.

It will be remembered that the Department of Justice filed a brief in the restrictive covenant case last year which boldly attacked the issue of racial discrimination. The Henderson case before the court now touches upon the highly explosive issue of Jim Crow travel.

The Department of Justice states "the obligation of carriers to provide equality of treatment means equality as between individuals and not as between racial groups."

The brief states further: "Equal facilities, if separate, are rarely, if ever, equal in a physical sense. In most situations they have been used to cloak glaring inequalities. And the very idea of separate facilities, or separate rights, is, in itself a negation of the full and complete possession of privileges and immunities of citizenship."

For years the NAACP has challenged the doctrine of "separate but equal" and many cases have been brought before the high court in which this doctrine was involved. Unfortunately, a direct ruling by the Supreme Court on the Jim Crow doctrine has been avoided by the learned justices. Several cases now pending along with the Henderson case may soon force the Court to attack specifically the legal foundation for Jim Crow laws in the Southern states of the Union.

The big issue in race relations in America today is unquestionably segregation. The most ardent apologists for the Southern way of life can no longer offer any arguments for the continuation of Jim Crowism except the violent threats of whites who insist upon white supremacy.

They know that the Constitution of the United States is being violated in the spirit and in the letter by state laws which draw an iron curtain around the races in the South.

Despite all the ill-tempered threats of racists, we do not believe that any amount of force can stop the dynamic drive for full citizenship and the abolition of Jim Crow which is underway in the United States today. The national leadership, white and colored, recognizes that segregation is one of the major obstacles to the full functioning of the democratic system. There is no way for the mind of man to square the Jim Crow laws with the American concept of equality and freedom.

The rebels may cry out against President Truman and the administration, they may damn the United States Supreme Court, but they cannot kill their moral conscience. They know they are wrong in their hearts and we shall never let them rest. In education and other fields Jim Crow is tottering today and we will yet live to see it fall.

38a 1949

Prejudiced Texts

The Chinese are a very superstitious people . . ." "Did you ever hear of a lazy Dutch woman? . . ." "She was superstitious, like the other Negroes . . ."

All of the above sentences tend to implant prejudice of some kind in the minds of the young. Yet, says the American Council on Education, such generalizations are common in our textbooks. In a volume published March 15, "Intergroup Relations in Teaching Materials" ($3), a council group of ten reports on surveys of more than 300 books now used in various age groups from elementary school through college.

Under the directorship of Dr. Howard E. Wilson, executive associate of the Carnegie Endowment for International Peace, the group found that the sins of omission are far worse than the sins of commission. American texts, though better than those of France, England, and Germany, nevertheless tend to type and judge in large terms without pointing out individual human variations.

Urging that oversimplification, generalization, and emotionalized terms be corrected in the nation's teaching materials, the council concludes that "textbooks are not guilty of planned derogation of groups, but are guilty of failing to come to grips with basic issues in the complex problems of human relations."

General

colored children live side by side, and play together evenings, Saturdays and Sundays. But on Monday mornings, the colored children have to trudge six or seven blocks, crossing several dangerous intersections, while the white children just cross the street to the school, one block away.

The children of today are asking why they cannot go to school together since they play together. The condition is without answer, since young people do not have racial prejudice until it is instilled into them. How can we develop "responsible and participating citizens" as long as this method of education exists?

MRS. L. M. LOGAN.

Washington.

Sparkman's Plan Fair

Senator JOHN SPARKMAN, Alabama Democrat, has announced he is preparing a resolution calling for a study of racial and other discriminations all over the Nation. Senator SPARKMAN'S claim is that discrimination exists in the North, East and West as well as in the South, and he will have no real trouble proving that point. His idea that discriminatory practices are no more commendable in one place than in another is valid on the face of it. His plan is fair all the way along.

It will be interesting to see how the professional do-gooders and demagogic politicians who have been screaming for so-called civil rights legislation react to Senator SPARKMAN'S proposals. The politicians have had a habit of lambasting the South, especially during an election year, in order to appeal to minority groups in their own bailiwicks. Rarely, if ever, have they had anything to say about cleaning up their own premises, either first or at the same time.

The net result has been an overproduction of hypocrisy, a great deal of unjustified self-righteousness, and wide and harmful misconceptions among essentially right-minded people. If the matter of discrimination needs attention, it should obviously get it all over the place.

Editor

Rights And Segregation

The February 14 letter by Charles Chopin presents the fact that our Constitution did not originally provide for freeing the slaves as an argument that democratic principles need not mean the end of racial segregation.

Our Constitution was not written as a "charter of democracy," but as a working compromise among sharply conflicting interests. In fact, many persons of democratic principles were greatly disappointed by it, and (both before and after it became effective in March, 1789) made such an outcry because it failed to protect basic rights that the amendments popularly known as a Bill of Rights were ratified as of December, 1791.

The very men who made the Constitution recognized the status of the slaves as incompatible with democratic principles. The Fourteenth and Fifteenth Amendments were not adopted "to punish and humiliate the defeated South," but to keep the freedmen from being quite politically helpless.

Finally, to say that our Constitution did or could express the whole meaning of democratic principles is a complete misinterpretation of the significance of principles. All principles are expressed very imperfectly in institutions; hence the institutions must be corrected from time to time if the principles are valid. Our Constitution recognized this fact by providing for its own amendment. As a people, we have enough social enlightenment today, to know that unless we institutionalize the equality of all mankind (and nonsegregation is but one stone in the edifice), we shall never achieve democracy.

MIRIAM E. OATMAN.

Chevy Chase, Md.

Ban On Segregation

I saw in the March 18 edition of your paper that Representative Arthur G. Klein introduced a bill to eliminate segregation in the District public schools and other public services. That is the kind of bill to make democracy.

Neighborhoods have been and are rapidly changing now. In my neighborhood, white and

Sparkman Ask Racial Discrimination Survey

WASHINGTON, Jan. 3—A nationwide survey of racial and other discrimination is proposed by Sen. Sparkman (D., Ala.), as a forerunner of any congressional action on civil rights.

The senator said, in a radio interview, that he is drafting a resolution calling for such a congressional study, with particular research into the relation between economic conditions and discrimination.

Economic competition between whites and Negroes in the South, the senator said, is at the root of racial difficulties there.

"If we could raise the economic level of the South to the point where this economic competition would be cut down, then a great deal of the race problem would disappear," Sparkman said.

* * *

"THE REASON THE RACE problem (in the South) is particularly acute is because there are two races trying to live side by side in a country where economic opportunity has not been sufficient to give satisfactory support to both."

"Human nature being what it is, the majority group naturally has, at times, had its way to the great disadvantage of the minority group."

Sparkman's proposal of a congressional investigation, he said, would be a means of forestalling early action on the civil rights program.

He said, if his suggestion is not adopted, he will array himself with other Southerners in Congress against the major features of the program.

Sparkman stressed that no part of the nation is free of prejudice and discrimination against minorities. Any study of the problem, he said, should be both national and non-political.

Roger Says:

Jim Crow Worth Two Billions a Year to "Master Race"

By J. A. ROGERS

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier—The Editors.)

LAST week I said the President was able to do little with the United States Congress to 1945, in the main, have been able to bear with great fortitude the trials and persecutions of the Negro. As regards Harry S. Truman, I'm willing to wait and see. However, Negroes hadn't better do too much advance rejoicing. Suppose Truman is as sincere as we wish to think him, he doesn't make the laws; he only signs them. If he is strong enough with his party he can do something, but I'm sceptical. He was seventy-ninth, a Democratic Congress, and in the eightieth, Republican, his own party was often against him, as in the Taft-Hartley law and the income-tax reduction. When he took office in 1945 and I listened to the extremely warm welcome he got from Congress, I said, "Just wait till the honeymoon is over!" I'm making the same prediction when he appears before Congress again.

The bed-rock truth is that Jim Crow is big business and has been since the Civil War. It brings in as a conservative estimate, about two billions a year to "the master-race" economy. The 11,000,000 or more Negroes in the South are milked at least $200 a year by jim crow; then there are the huge profits from Negro ghettoes in the North. In fact, all Negro business and economy flourishes the white one as the little river into the big. Experience teaches that you have a devil of a time suppressing any evil even less profitable than that. We know, also, that lawmakers on both sides of the aisle with the majority opinion of their constituency and that it is rather latter now stands it is against them with Negroes.

Another important fact is that Southern Democrats and Dixiecrats are one on jim crow. The former did not bolt with the Dixiecrats at Philadelphia only because they were fearful of foe is now the Federal Government itself.

* * *

SOMETHING WILL BE done only when the intelligent, just, and patriotic citizens, North and South, push the politicians aside and take the matter in their own hands.

JIM CROW IS also the biggest kind of big politics. By suppressing suffrage in one way or another it enables Southern Democrats to stay in Congress for decades where they head important committees and enjoy autocratic power in running the Nation and dispensing patronage. Another conference at Savannah, voted for "continued opposition" to civil rights. Congress has done nothing

his party. They must start a nation-wide sabotage of jim crow as did the Congress of Racial Equality when it sent a party South to break jim-crow laws.

Jim crow, an evil of the first magnitude, has done incalculable harm to this Nation, lowering its prestige and good name today with the worst to come. It is not going to be solved by soft-buttered word and action, no matter what those good, kind, Christian folk may say. No evil was ever destroyed by pussy-footing.

Abraham Lincoln came to learn that about slavery. In 1837 (or 1836) while in the Illinois Legislature, he signed a resolution saying that while "slavery is founded on both injustice and bad policy the promulgation of abolition doctrines tend rather to increase than abate its evils." In other words, as many say now: Don't agitate.

When, however, the turn of events forced Lincoln to come to real grips with slavery, he not only sided with the abolitionists, but in 1865, we hear him saying that "every drop of blood drawn with the lash shall be paid for one drawn with the sword."

Lincoln, though an advocate of an inferior position for Negroes, when really convinced that slavery was wrong, came all out against it.

If now President Truman is really convinced that jim crow, the 1949 kind of slavery is wrong and shows the same courage in deeds as did Lincoln, I'm sure that a majority of the citizens of this land will come to see that he is right and support him against anything Congress might do against civil rights.

Ceylonese Lady Gets Treated Like Cullud

COLUMBO—Miss N. Welsh, a Ceylonese, also has color line problems. Arriving here from Sidney, Australia, she told of the "prevalent discrimination against colored races in general and Asiatics in particular," adding that she was unable to get permission for permanent residence, "since my pigmentation did not harmonize with the general color scheme."

The Week In Religion

No-Discrimination Bills Pending In Many States

By Religious News Service.

New York, March 6.—Anti-discrimination bills are of leading interest to church groups keeping an eye on more than 30 State Legislatures where proposed measures involving religious, moral, or social issues are being debated.

It probably is true that in no other year have religious groups shown a more informed and practical interest in legislative activities. It also seems that this year's crop of bills in which churches have a pertinent interest is unusually large and varied.

Enactment of new or stronger State laws aimed at racial or religious discrimination has been recommended by the Governors of at least 10 states, while similar bills are pending in a number of others.

Indiana Bill Watched.

The Phoenix Ministerial Association last week endorsed a bill in the Arizona House making all restaurants, barbershops, public conveyances, theaters, and other places of public accommodation and amusement available to all persons, regardless of race, color, class, or creed.

At the same time, the ministers approved a bill aimed at segregation of elementary-school pupils by race, class, or creed. A similar bill also is pending in the Indiana Legislature.

Proposals for the enactment of F.E.P.C. laws have been made in Nebraska, New Mexico, Oregon, and West Virginia. Among several antibias bills before the New York Legislature are proposals to outlaw discrimination by fire and casualty-insurance companies, and to revise and implement existing laws barring discrimination in public accommodations.

Other States May Act.

Other States where antidiscrimination measures have been recommended or are pending are California, Colorado, Connecticut, Delaware, Illinois, Maryland, Michigan, Minnesota, New Jersey, Ohio, Pennsylvania, Rhode Island, and Utah.

Bills referring to gambling again are on the agenda of several State Legislatures. The Wisconsin Senate last week rejected a resolution calling for a popular vote on legalizing bingo as a fund-raising means for nonprofit religious and other organizations. Bills to legalize bingo, meanwhile, being urged in Delaware, Pennsylvania, and Vermont, to the accompaniment of protests by some church groups.

New Jersey has defeated a bill for a State lottery plan to pay a veterans' bonus, while in Michigan clergymen and State officials have met to map legislation striking a death blow to pari-mutuel betting on all race tracks.

Montana has passed a bill for a referendum on legalizing slot machines, the measure having been approved by the Montana Council of Churches because it believes the public will "defeat the issue at least 3 to 1."

Control Bills Introduced.

Liquor-control bills have been introduced in the Kansas and North Carolina Legislatures. The Kansas bill brings the State closer to legalized liquor after voters last November decided to ignore the State's 64-year-old dry past. The North Carolina measure calls for a referendum on continuing the present system of local option or barring liquor throughout the state.

Church groups are giving full support to a bill to "put teeth in the Sunday blue laws" of Pennsylvania by authorizing State confiscation of all money collected by operators of unauthorized Sunday sports and entertainments. In Georgia legislators are weighing a bill to legalize Sunday operation of movie theaters on a local-option basis.

A similar proposal is being made in Maine, where one legislator declared that the State must liberalize its blue law or "play second fiddle to states that are competing for the tourist trade."

The Washington Senate has taken favorable action on a bill to excuse public-school children for released-time religious classes.

Tax Bills Acted On.

Tax measures affecting churches either are pending or already have been ruled on by several Legislatures.

Montana killed a bill to grant inheritance-tax exemptions to out-of-state religious, charitable and educational institutions.

The Tennessee Legislature finally passed a much-debated measure to exempt employees of churches and other nonprofit institutions from provisions of the Unemployment Security Act.

The Universal Declaration of Human Rights

ITS EFFECTS ON LAWS, CUSTOMS AND RELIGION

The Universal Declaration of Human Rights is not only socialistic in its implications, but if implemented by adoption of its Covenant by the United States Senate in treaty form it would strike down laws of many states and social customs of wide acceptance among the people. And in respect to at least one religion, it would contravene church law.

Article 7 says:

"All are equal before the law and are entitled without any discrimination to equal protection of the laws. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."

Article 16 reads:

"1. Men and women of full age, without any limitation due to race, nationality or religion, save the right to marry and found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution."

There are on the statute books of 29 states laws forbidding miscegenation or marriage between different races. In most other states which do not by law ban such unions the social customs of the people forbid it.

The states prohibiting miscegenation are Alabama, Arizona, Arkansas, Colorado Delaware ,Florida, Georgia, Idaho, Indiana Kentucky, Louisiana, Maryland, Mississippi Missouri, Montana, Nebraska, Nevada, Oklahoma, North Carolina, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia and Wyoming.

Seventeen states and the District of Columbia have laws enforcing segregation in either education or public places of public conveyances, or all three. They are Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia.

In addition, six states give discretionary powers to school boards to establish segregation. These are Arizona, Indiana, Kansas, New Mexico, New York and Wyoming.

Article 16 of the Declaration of Human Rights would obliterate such laws, for if the Covenant is ratified by the Senate in treaty form the Covenant would become the supreme law of the land under our constitution.

Should any mother try to prevent the marriage of her child because of objections to a suitor on racial, national or religious grounds, that parent would be answerable to an International Court of Human Rights, wherever it might be sitting, for under Article 7 she would be guilty of incitement to discrimination.

The threat to religion is also plain. An example: The Catholic church forbids divorce to its members as part of the free exercise of its religious tenets under our constitution. The Catholic church forbids marriage between Catholics when one has been married by the church and subsequent-

the Declaration of Human
old any Catholic priest, any
ster or any Jewish rabbi in
Declaration for incitement
n should be attempt to dis-
ons from marriage for any
whatsoever.

Educator Deplores Attempts To Justify Negro Segregation

More "wrong thinking" has gone into attempts to justify restrictions against Negroes "than any other single item," Dr. Rast Oliver Johnson, Atlanta, told the Louisville Pan Hellenic Council yesterday.

He is national president of Phi Beta Sigma fraternity and head of the division of education and psychology at Morris Brown College, Atlanta.

As an example of "wrong thinking," the Negro educator cited the argument of those who contend "you can't legislate morals."

"If there can't be a law against segregation, why is it that many States have laws requiring segregation?" Dr. Johnson asked. "If morals can't be legislated, why are we legislating morals in Germany and Japan?"

Answering charges that a "welfare State" is being created in this country, Dr. Johnson said:

"If the Government's function is not to promote the general welfare, then what is its function? Government is an evolving thing . . . Old tools will not work any more in Government than in homes and factories."

The meeting was at Plymouth Congregational Church, 1630 W. Chestnut.

'Separate' Tenet Assailed

Negro's Segregation Appeal To High Court Backed by U. S.

By Chalmers M. Roberts

Post Reporter

The Administration carried its civil rights battle to the Supreme Court yesterday in a challenge to the 50-year-old "separate but equal" facilities basis of segregation in the United States.

In a brief filed with the court, the Justice Department called that segregation doctrine "a constitutional anachronism which no longer deserves a place in our law."

It is this doctrine on which segregation has been legally based for schools, restaurants, theaters and other public gathering places in Washington and elsewhere in the Nation.

The brief was filed by Solicitor General Philip B. Perlman. Attorney General J. Howard McGrath said last night it was "in line with my own views." McGrath said he had not talked to President Truman about the case, but thought it unnecessary. The Justice Department began work on the brief months ago, while Tom C. Clark, new Supreme Court Justice, was Attorney General.

The Justice Department, though nominally a defendant in a segregation case due to be argued this month before the court, yesterday asked the court to rule on behalf of the Negro bringing the suit. In taking this position, the Justice Department is opposing the Interstate Commerce Commission, whose ruling permitting segregation in railroad dining cars is being attacked.

Move to Reverse Decision

The suit was brought by Elmer W. Henderson, 3729 J st. ne., who is director of the American Council of Human Rights. The District Court in Maryland ruled against him but he, and now the Government, seeks to reverse that decision.

Henderson charges he was unable to obtain a meal on a Southern Railway train in 1942, riding between here and Birmingham, Ala. The railroad also is a defendant in the case.

The Justice Department's 68-page brief is an attack on both the legal and social basis of segregation in general, and is liberally sprinkled with quotations from the report of the President's Committee on Civil Rights.

The Government declares that while it does not feel the Henderson case turns on the "separate but equal" facilities argument, it believes that if the court cannot decide the case without reference to that doctrine it "should now be reexamined and overruled."

Segregation Upheld

The lower court had upheld the ICC ruling permitting segregation in dining cars on the grounds that "separate but equal" accommodations were provided for Negroes. The doctrine first was established half a century ago in a post-Civil Ware case.

Of dining car segregation, the Government declared:

"The curtain of partition which fences Negroes off from all other diners exposed, naked and unadorned, the caste system which segregation manifests and fosters. A Negro can obtain service only by accepting or appearing to accept, under the very eyes of his fellow passengers, white and colored, the caste status which the segregation signifies and is intended to signify."

Government Declaration

In asking the Supreme Court to overturn the "separate but equal" doctrine, the Government declared:

The evasions and violations of the Constitution are being gradually eliminated. One handicap is the approval given in another day and generation to the proposition that the Constitution could be satisfied and friction removed by the establishment of 'separate but equal' facilities. Experience has shown that neither the Constitution, nor the laws enacted under its authority, nor the individuals affected, are given the required respect and status under such an arrangement.

"'Equal' facilities, if separate, are rarely ever equal, eevn in a physical sense. In most situations they have been used to cloak glaring inequalities. And the very idea of separate facilities, or separate rights, is in itself a negation of the full and complete possession of privileges and immunities of citizenship."

Segregation and the Courts

THOMAS L. STOKES

WASHINGTON—Fifty-three years ago, back in 1896, the U. S. Supreme Court delivered an opinion that has since offered a legal basis for segregation in places and institutions of a public character, such as means of transportation, public schools, theaters, colleges and the like. It was the case known as Plessy versus Ferguson, directly involving segregation in public conveyances, in which the court held that segregation was not discrimination. Rejecting the contention that enforced separation of races was "a badge of inferiority," it put forth the thesis that if it caused such feelings "it is not by reason of anything in the act, but solely because the colored race choose to put that construction on it."

Anyone who knows human beings and the ways of men knows this isn't so at all, however one may stand on segregation. It was in a dissenting opinion in this case that Justice John M. Harlan made his famous observation that "our Constitution is color blind."

Since that decision, which was just two years before the United States took its first, faltering steps into the stream of world politics, much has happened. Among other things, our nation has become a dominant world power with great moral influence that goes with its sheer physical strength and flows from its traditions. As a consequence, discriminations here tend to tarnish that moral influence and are exploited by those who would discredit us, as manifest now in the propaganda use that Communists are making of racial discriminations in the world's greatest democracy.

There is something of all of that as well as the plain intent of the Fourteenth Amendment to our Constitution, in the Justice Department's attempt to upset that 1896 concept in a case soon to be argued before the Supreme Court. It may be possible to get a broad decision on the whole issue of segregation, but at least the way should be opened for a later case directly on the constitutional guarantees. Argument of the case was postponed from October because of the accident

Government taking a case to the Supreme Court against another Government agency.

"Equal treatment means the same treatment," says the Justice Department brief in asking the highest court to set aside the ICC order and otherwise challenging the whole "separate but equal treatment" doctrine of the Plessy versus Ferguson case. It says also "in our view 'separate but equal' in as much a contradiction in terms as 'black but white.'"

The brief is an interesting sociological as well as legal document, offering quotations in a range from eminent sociologists, including Gunnar K. Myrdal, to the recent testimony of Jackie Robinson, of the Brooklyn Dodgers, before the House Un-American Activities Committee. It suggests a re-examination and reconsideration of the earlier decision 53 years ago which it asks be overruled.

Race Issue Out In Drive-In Suit

LITTLE ROCK, Ark —(ANP)— The race issue was not involved in the refusal of a beer permit to the white operators of an interracial drive-in establishment here, a federal district court judge ruled last week.

Judge Harry J. Lemley upheld Revenue Commissioner Dean Morley, who refused to renew a beer permit to Castle Drive-In owned by Mrs. Mary Ella Case and her husband, Virgil.

Through her Negro attorney, W. Harold Flowers, Mrs. Case filed suit alleging that racial discrimination was involved because Negro and white customers are served at the drive-in.

Ruling that the revenue commissioner's policy was not "unfair", Judge Lemley said, "The clearest and plainest evidence to that effect is that he is issuing licenses to others in that particular neighborhood who are serving the colored and the white."

Introduced by Morley as evidence in the trial were a picture from Ebony magazine, showing Flowers and Virgil Case, and evidence that the 12-year-old son of the Cases served beer in the establishment

Well Said, Sir!

U. S. Must Blot Out Color Line

Courier-Hastie
Dat. 4-23-49

By C. L. WASHINGTON
(Courier Associate Editor)

LOS ANGELES—Dramatically hurling a warning to the United States that the Government itself must become "color blind" to win the fight against racial discrimination, Gov. William H. Hastie of the Virgin Islands virtually "hit the bulls-eye" in the national NAACP convention here last week.

Charging that the Federal Government cannot evade or escape rights and privileges and all of the obligations and duties appertaining thereto.

"Can there be any honest American who would say that this is too much for any other American to demand?" Dr. Bunche asked.

"The greatest defense for democracy is its practice. If those who today sound the alarms about the dangers from without would only concentrate a little more on perfecting the practice of democracy within, and would have a stronger faith in the fundamentals of our creed, American democracy would quickly become invulnerable."

RUN ITS COURSE

Commenting on the changing world pattern, Dr. Bunche declared: "It is becoming increasingly apparent that the world cannot exist half colonial and half free. Old-fashioned imperialism has run its course. Indeed, the bell has tolled for colonialism in any form.

"I am an American. I like America and Americans. I like the American way of life. I like the things the American democratic creed stand for—the equality of man, individual rights and liberties, respect for the individual, and for the dignity of the individual.

"When individuals or groups lose their self-respect and dignity, their souls are dead. There can be no question of time or patience when elemental rights are denied. Nor can there be any compromise on the issue of fundamental rights.

"Moreover, the position of world leadership which our nation now enjoys is made vulnerable and morally undefensable by the harsh rattling of the race relations skeletons in our closet."

Dr. Bunche paid a signal tribute to the NAACP which has "for two score years fought to make American democracy a living reality for Americans."

No Region Is Immune to Virus of Prejudice

MRS. ELEANOR ROOSEVELT, telling an Atlanta group that race prejudice and violent outbreaks occur elsewhere than in the South, was not merely buttering up a Southern audience. She was speaking a truth which anybody knows who reads the newspapers. She was fresh from a demonstration of the fact and of its folly in her own New York.

To be sure, the two riots that flared about PAUL ROBESON at Peekskill were concerned with race differences only incidentally, if at all. As a singer and artist, ROBESON had never been molested or his talent begrudged in other days of his exceptional career. It was only after he returned from Russia with loud praise for the Communist way and belittling of our own—perverse, bitter and aggressive—that the storm broke about him.

It was ROBESON himself who threw the race issue into the incident—falsely, as he must have known; with deliberate calculation, as must be plain. For thereby he gave aid and comfort to the Communist line which seizes upon and exploits every incident of racial disturbance. It does this with such alacrity that it appears eager actually to provoke it.

ROBESON was playing the game. It would have been a keener triumph for the Kremlin if the casualties of the riot had been greater than they were, with deaths, particularly of Negroes and most particularly if ROBESON himself had been hurt or killed. This country has had too much evidence of the cold designing nature of Communist strategy to suppose that STALIN and his fellow plotters give a hoot for ROBESON as a comrade, a man or even as a member of a minority group—but does find him important as a pawn.

Mon. 9-12-49

There is evidence also, at least implicit in Communist maneuverings as they gradually are revealed, that the hard core of pro-ROBESON demonstrators who built up the second concert appearance of the singer were overtly encouraging that which happened—expecting it, inviting it. Many of the thousands who flocked to the concert and got themselves embroiled with hostile demonstrators doubtless were sincere in their belief that they were standing up for civil rights. But the engineers of the event were purposeful. The familiar racket of fund solicitation, "to beat back the Peekskill terror," already has begun. The checks are to be sent to PAUL ROBESON. It ought to be plain that what happened was what the planners wanted and expected to happen. In a large measure the rioters were thoughtless and irresponsible dupes of the Communists.

It was the same design that persuaded HENRY WALLACE to make his farcical, provocative tour of the South in last year's campaign. If anything serious had happened to the Progressive candidate, what a feather it would have been in Moscow's cap!

All this has a point in connection with Mrs. ROOSEVELT's talk about the widespread occurrence of prejudice. As we read her remarks, she was not exculpating the Southern variety by showing that others are just as guilty. She was pointing out another obvious truth, that sound judgment is distorted, that evil and danger beyond calculation are wrought, by lack of restraint against prejudice, rancor and brute impulse. Incitement must be resisted. The nature and source of the incitement must be carefully examined, whether it comes from the Communists of New York at one extreme or the K.K.K. and the Dixiecrats of the South at the other.

Mrs. ROOSEVELT must have been encouraged to say what she did about the South and its race attitudes by signs that were all about her. These are to be found in news like that which came from the Southern representative of the National Urban League, an inter-racial group for help to Negroes. He was saying that more and more white Southerners are active in programs to improve the condition of the Negro in every field of human welfare. And as Mrs. ROOSEVELT spoke, a vote on the nomination of a Mayor was being announced in Atlanta. It showed that Negro Atlantans, voting in a city Democratic primary for the first time, had swung the balance to assure victory to veteran Mayor HARTSFIELD, whom they favored for past performances and future assurance in their behalf.

Things are moving down there in the heart of the South, intelligently and democratically. There is much that is still "bad and wrong," as Mrs. ROOSEVELT put it, but so also is there elsewhere—and there is much that is better.

Why Do We Jim Crow Ourselves?

The Dispatch

"After You Get What You Want You Don't Want It."

Anyone who has hitherto not understood the import and meaning of the song with the above caption should have attended the meeting held by Negro Democrats Saturday. Mr. Calvin Johns, chairman of a rump unit of the Negro Democratic Association, called a harmony meeting on the above named date to which the parent wing (commonly called the Sanford faction) showed extreme liberality. They met at the call of the rump chairman and agreed to unite and let bygones be bygones, only to discover the man who called the harmony meeting did not want harmony.

Oklahoma, Oklahoma

There is nothing strange respecting Mr. Johns' apostacy of his own handiwork. In the meeting he discovered there was extreme likelihood the mantle of leadership was not going to fall upon his shoulders. In an unthoughtful moment Mr. Johns inadvertently exposes the selfish purpose he had in mind when he engineered the conference from which he now retreats. Sat. 7-9-49

Then too, Mr. Johns has another fear. The majority of those present Saturday expressed the thought Negroes in Oklahoma should cease supporting jim crow organizations. Several influential members of the Saturday conference expressed the view that the Negro Democratic Association is out of step with the times and its members should abandon the organization, proceeding to integrate Negro voters into the Democratic organization in every county in the state. Whether this is accomplished will depend in a large measure upon the demand that will spring from the grass roots for first class citizenship in politics.

As the matter stands now, O. B. Graham, who continuously seeks to feed at the public trough, and C. R. Johns, who perhaps has something in mind which at present does not meet the eye, are the two main holdouts. They want to perpetuate a jim crow organization. Every self-respecting Negro in the state, who wants to promote the wave of liberalism now extant in Oklahoma and which has the support of practically all of the younger generation of whites, as well as many of their elders, should sit down and write these two gentlement, telling them to either fall in line with Negroes who want to be free men or take a back seat among the scornful.

We want to pull the cover completely off this so-called Negro Democratic Association. In most of the larger counties of the state it represents Negroes who but for the relationship they sustain to the Association, could not get a single vote of confidence back home. In recent years, especially in large counties like Oklahoma, Tulsa and Muskogee, the Negro Democratic Association has created dissension rather than harmony. Take Oklahoma county as an example. When election time comes this spurious organization attempts to call meetings and its leaders attempt to assume authority over precinct officials elected in Democratic caucases, and who serve as delegates to the county and state conventions. The result is a fight from the beginning to the end of the campaign. In the last election in Oklahoma county there were four different headquarters open with those in charge of this confusing arrangement spending most of their time condemning each other.

One of the definite and effective methods that could be adopted to halt the activities of these jim crow Democrats is for the Negro Democrats already integrated into the Democratic party organization to refuse hereafter to have anything whatsoever to do with those who peddle second-class politics. If they will not get out in front as leaders they should be kicked out, ignored and made the subject of derision and scorn. They are self-appointed and have no authority except what they delegate to themselves.

One of the reasons why Negroes in the smaller counties in the state have not received the recognition they should is because these self-appointed leaders manipulate things as they do. They prevent the Negro vote from being integrated into the Democratic party organization. We recall addressing a meeting down in Southern Oklahoma several years ago, called by a representative of the Negro Democratic Association, and when we went to talking about calling a caucas, holding an election and naming delegates to attend the Democratic couty convention, he trembled like a leaf. Negroes in that county still sustain no membership relation to the party organization through the caucas. There are still headed down there by a man who feeds at a little jim crow trough while substantial citizenship goes to the bow-wows.

We tried several years ago to get Negro Democrats in this state to take a junket to see what Negroes were doing in other states. We felt this might shock our would-be leaders into knowledge as to what they should do with their suffrage. Oklahoma Negroes actually make or unmake governors and senators. It is the pivot upon which many memberships in the legislature hang, and yet we allow ourselves to remain outside the party organization by stupid continuation of the Negro Democratic Association. Sat. 7-9-49

If the Negro were to integrate himself into the party organization he would soon have enough strength to influence party policies. The most disgusting and tragic thing happening in an election year is the state convention incident, when the Negroes come to Oklahoma City and meet off in a distant hall and aimlessly paw the air while the regular party organization meets down in the city auditorium. When everything is over some one lone Negro meets with the powers that be to announce he is the leader, and arranges for some personal pie.

The time has come to break up, discard and get rid of the Negro Democratic Association. It may have served some useful purpose in the days that are gone, but it is out of step with the times. It makes our white friends who believe in freedom have to apologize for us. If we are going to belong to a political party, let's join as men and first class citizens.

Justice For All, South's Women Ask

ATLANTA, Ga. — Southern white womanhood, inspired by the presence of

MRS. F. D. ROOSEVELT

Mrs. Eleanor Roosevelt, took a firm stand here last week for the extension of equal justice to all people, regardless of race.

The action came during a human relations workshop staged in this city by Negro and white women from 12 southern states and attended by nearly 2,000.

Mrs. Roosevelt received an enthusiastic ovation when she told the women that world democracy rests squarely on their shoulders.

Declared she: "The moral and spiritual qualities in the lives of the individuals will be a telling factor in the "Battle for Democracy."

Score On Race Relations

Commenting on race relations in the North and South, Mrs. Roosevelt said: "I think the North is as bad in some ways as the South in race relations."

sponsored by the Southern Regional Council in cooperation with women's groups and the National Board of YWCA. Said he: "The moral and religious ideals are set forth extremely well in our constitution of the United States and in our individual states. These ideals are there for us to use."

Morris Abram, a lawyer of Atlanta urged the women to insist in their various communities that the spirit of the constitution be followed.

lems." It was

Williams has been

around the area in an effort

funds desperately needed

the case which the NAACP

to carry to the Supreme

recent rebirth of violence.

look at the civil rights proposals

from a world-wide

Before the meeting, while at a local

conference, she explained

that she did not

Truman's civil

program

from 12 southern states

rather than a

program an spiritual approach to social prob-

STUDENTS REPORT ON

SEGREGATION ABSURD

Four students of Andover, Massachusetts, made a report recently of their six weeks tour of the South. Among their amazing "discoveries" is that "Southern Negroes themselves would not welcome abolition of racial segregation and are happy under it."

Such an absurd and nonsensical statement would not be dignified with a reply except it is being used in the North as well as in the South as propaganda to impede Negroes in their fight for full citizenship.

Any Negro who can think enough to get out of the rain knows that segregation means a division and discrimination. It means poor schools, houses, neighborhoods, health and recreational facilities, limited job opportunities and unequal protection under the law.

Could any sane people be happy under such a status?

In discussing the evil effects of segregation last April 23, we said editorially:

"But whether stat'ed or implied segregation of peoples always presumes a good and a bad or a superior and an inferior, or both. And just as different values are placed on segregated items of food or merchandise so different values are placed upon human beings who live under segregation. The stgregation of Negroes implies that they are less human than other peoples, that they are a liability if not a menace to their community. That is why Negroes so strongly resent segregation.

"Racial justice cannot be achieyed in the United States under segregation because segregation suppresses the best in Negroes and brings out the worst in whites. This is true because those who segregate must always seek new reasons to justify their act and in so doing they violate the principples of both Christianity and democracy. They deliberately conspire to make those segregated inferior by allowing them only inferior opportunities. And having succeeded, they then point to this obviously inferiority as a racial characteristic, wholly unrelated to opportunities for personal growth and development."

The Andover students, as some of the "friends" of Negroes in the South, contend that Negroes are proud of their race and want to remain apart. Are we to assume that the Irish, Italians, Jews, Germans, French and many other racial and ethnic groups in America are not proud of themselves because they do not want to be treated as a special type of human being?

Do such contenders forget that the men and women of whom the race has had the most genuine reasons for being proud of were Negroes who had had an opportunity to match their skills and talents against those men of all races and creeds, namely: Dr. Ralph Bunche, Jackie Robinson, Jesse Owens, Ralph Metcalfe, Joe Louis, Dr. Washington Carver, Walter White, Dr. Mary McLeod Bethune, Dr. T. R. Lawless, Congressman William L. Dawson and countless others.

There might be some Christian and democratic reasons for racial segregation, but we have yet to find one.

La. Weekly

THE HORIZON

By P. L. PRATTIS

YOU wouldn't be surprised to learn that there are Negroes, accounting the whites, who bemoan the fact that, in segregation, the attitude of these folk, some of them, is conditioned by a kind of race pride. They say to themselves: "Well, if the whites don't want me, I don't want them either." The same type of white specious purrs something about the Negro being happier by himself. Neither these whites nor these Negroes think through to the harm which is inherent to segregation, particularly for the group which is the victim of proscription.

Mr. Prattis

For a long time, I have been trying to piece together some sentiments on the phase of segregation. They have to do with what happens to a minority group when it is set aside and is not considered as a factor when the majority group plans any type of public undertaking. For an example, let us take a look at transportation, particularly mass transportation in the short runs for this congested district. It based its schedules and runs on the basis of the needs of the white population.

As a result of the inconvenience suffered, Chicago Negroes were forced to organize their own jitney service to operate on two of the main thoroughfares. These jitneys have operated for years. Most of the people don't like them, but they are compelled to use them because their transportation needs are ignored by the owners of the transportation system. This is one of the results of residential segregation.

If this condition were true of Chicago alone, it would have little significance. But anyone who has traveled about knows that he can find a similar condition in almost any large urban center where Negroes are crowded together. It is certainly true on Central Avenue in Los Angeles. It is true on Fillmore Street in San Francisco. It is true on Wylie Avenue in Pittsburgh. It is true on Pennsylvania Avenue in Baltimore. It is true on U Street in Washington. It is true in cities South and North, where Negroes are fenced off to themselves.

OF COURSE, TRANSPORTATION isn't everything in life. But it is easy to see from the big cities where, as a rule, Negroes are fenced off in ghettoes.

IN CHICAGO, MOST of the Negroes live in what is known as the near South Side. It is one of the most heavily populated areas in the world. The transportation lines which serve the area, both bus and street car, begin on the North Side and end on the far South Side, or they begin on the West Side and end east of the Negro district where whites live. The areas in which these transportation lines begin and end are much larger, or longer, than the Negro area. If you would assume the lines to traverse 100 blocks, the Negro area accounts for only thirty.

Here's what has happened: The transportation company originally planned its schedules to meet the traffic demands in the white areas. This meant that they planned for a sufficient supply of buses and street cars in the white districts, but when these same buses and street cars traversed the Negro district, riders were packed and jammed if they could get inside a vehicle. Often, they couldn't get in. Would-be riders had to wait on the sidewalk for a bus or street car with room in it.

THE COMPANY APPARENTLY never thought of establishing foregoing how the segregation factor operates. In all of the things which contribute to our way of life, the factor operates the same. The larger, dominant group plans on the basis of its needs, its likes and its dislikes. In a particular situation, the Negro happens to be sort of mixed up with the dominant group, integrated, they say, he benefits as do the members of the dominant group. But if he is forced to live apart, the chances are that he will have the worst transportation, the worst schools, the worst homes, the worst churches, the worst hospitals, the worst cultural outlets. Furthermore, he will be blamed for having the worst because few people will take the trouble to think through to the fact that the system impales him upon what is worst.

It is laudable to have pride of race and to prefer to be to one's self, but when such pride leads to one-sided and uneven treatment, the possessor of it should stop and ask himself a few questions. I am happy among my own people, as some white people presume, but I'm not going to be satisfied alone with them as long as I realize that aloofness leads to my being cheated. No, sir. It is because I think better of myself, not of white people, that I look the gift horse of segregation full in the mouth and say, "No."

General

Sometimes Race Pride Leads to One-Sided And Uneven Treatment

Discrimination End Is Urged By Professor

New York Teacher Makes His Appeal Before Social Workers

MOBILE, ALA., April 28—(AP)—Alabama social workers were urged tonight by a Columbua University professor to help end discrimination.

The speaker, Dr. Eduard C. Lindeman, made his appeal in a talk before the Alabama Conference of Social Work. Dr. Lindeman is professor of social philosophy at Columbia's New York School of Social Work.

Dr. Lindman said the social work profession "now stands dangerously near the point at which we may expect to be legally coerced to end discrimination."

"Would not this constitute a shameful indictment?" he asked.

"Some social agencies, and alas, some attached to religious auspices are still debating whether or not it might be expedient for them to drop discriminations."

The speaker told the conference at its first general session modern social work was designed "to bring persons in trouble back to the normal stream of life as quickly as possible and with no loss of personal esteem."

Race Prejudice Attacked By Mrs. Roosevelt

Special to Journal and Guide

NEW YORK — Mrs. Eleanor Roosevelt warned in an address on Friday of last week that the peoples of the world are comparing America's preachments on democracy with actual practices here toward racial and minorities.

In her appearance before 150 women at the opening session of a forum on "Are Women Meeting the Challenge of Today?" Mrs. Roosevelt, who is chairman of the United Nations Human Rights Commission, pointed out that "the white race is a minority race" and added that the peoples of the world are waiting to see which has more to offer them, democracy or communism.

Mrs. Roosevelt made it plain that she feels that the fate of the world rests on the problem of racial equality and that the outcome will finally be decided in Asia and Africa. It is in the sphere of racial prejudice, the speaker said that "women count most" because they guide and influence the children.

GREAT RESPONSIBILITY

"Today the way you make your decisions," she added, "is probably deciding what will happen in the next generation throughout the world. Therefore, you have the biggest responsibility that any generation has ever faced."

The forum was held in the new school for social research. Several persons participated in a brief discussion following Mrs. Roosevelt's address.

LANGSTON *Hughes*

It Is Criminal To Refuse Any Person Food Who Has The Cash

Very much hope that Hazel Scott wins her suit against that Reno, Washington, restaurant that refused to serve her after she had been slowbound on a train for hours in order to fulfill a concert engagement there.

In that zero-cold country where a cup of hot soup is worth a million dollars at the moment is needed, for a public place to refuse to serve Negro woman, simply because she is colored, seems to me just about as savage and uncivilized as anything that could happen on this earth. But there are thousands and thousands of made last November, it would seem that American restaurants in this democratic day

and age that will not under any circumstances serve colored Americans. Hazel Scott happens to be a very fine pianist, a movie star, and the wife of a congressman—so when she is refused service in a public restaurant, it makes headlines. But it is just as much of a crime against human decency to refuse any hungry person with the cash to pay, celebrity or not. Any traveler, white or colored, naturally gets hungry. Why is it that in many American communities only colored travelers can find no place to eat?

After those fine speeches the politicians have had about democratic promises would be kept. Are they being kept? Maybe so, but I was down South a couple of weeks ago and they still snatched that curtain across my face when I went into the dining car. I still had to buy my railroad tickets in Jim Crow waiting rooms. The Ku Klux Klan still burns fiery crosses. And right now Hazel Scott can't get a bowl of soup in Pasco, Washington, U.S.A., because she is a brown girl, not white. If that is democracy, it is not a good brand.

I have had a number of friends in various touring theatrical companies—"The Green Pastures", "Anna Lucasta", "Carmen Jones"—who have traveled all across America entertaining and delighting the public. But the tales these actors tell on their return to New York would shame the most backward land. They speak of American towns where not a single restaurant would permit a Negro to dine, nor a single hotel allow a Negro American to sleep.

They tell of having to eat grocery store food from paper bags and sit up all night in bus or

railroad stations after a performance whose final curtain was greeted with enthusiastic applause. But nobody in the audience had a place for the actors they applauded to sleep, nor a table at which they might eat.

Any dance band can recount hundreds of similar experiences—Cab Calloway's, Duke Ellington's, Louis Armstrong's. The more famous the band, the more incongruous the stories become. Americans love Negro jazz music. You would think Americans would protest and care for the great players of this music. But not at all! They will dance to, enjoy and applaud colored musicians, but let them go hungry after a dance. White Americans will seek the autograph of a Dizzy Gillespie or a Count Basie, then permit their local restaurants to tell them, "Sorry, but you can't eat in here. We don't serve Negroes." White Americans will have dozens of Duke Ellington records on juke boxes in cafes when Duke himself cannot get even a glass of water.

But my point is not that a Negro must be a famous artist to be served in a public place. **Anybody** should be served in a public place. It is simply that when a Hazel Scott is refused service, it highlights all the more the absurdity of American racial customs. Cross-country, from Coast to Coast, outside of a few big cities, "Nowhere, No Place, At No Time," is a Negro American sure that he can even get a sandwich in a public restaurant. Newark, Pittsburgh, Wichita, Denver, Pasco are all the same, "Sorry, we don't serve colored." Nine times out of 10 that is likely to be the answer when you, me, Duke Ellington or Hazel Scott go in to eat. Why should we, Americans, too, have to wander and wonder in a strange town, "Can I eat here?" In a public restaurant, **any and everybody** with the money to pay and a decent demeanor should be able to eat. It does not make sense for a public place to be permitted to say, "We don't serve colored."

Hungry, under such provocation, sometimes a Negro person might be tempted to haul off and break up the joint. Then the authorities would want to put the Negro in jail for "disturbing the peace." I think it would be better to put the white restaurant owner in jail first—or, at least, fine him for "disturbing democracy."

Behind The Headlines

Journal Guide

Governor Wright Of Mississippi Gets Something Off His Chest

By ALBERT L. HINTON

THE HONORABLE FIELDING L. WRIGHT, Governor of the State of Mississippi, and erstwhile candidate for Vice President of the United States, was speaking:

"Since my administration is definitely and positively committed to the principle of segregation, I will not name to any commission to represent me any man or woman of either race unless he or she publicly and positively subscribes to segregation."

MR. HINTON

It may be a little difficult to believe, but Governor Wright's remarks were addressed to several hundred colored Mississippi school teachers at the annual state meeting of teachers in Negro schools held in Jackson, Mississippi on the afternoon of March 24. Being fully aware of Governor Wright's views on the race question among other things, it is a trifle puzzling to understand just why a group of colored school teachers representing several thousand of the state's intelligentsia, would invite such a speaker in the first place.

The Governor emphasized at the outset that although he much preferred not to use a manuscript in speaking he was doing so purposely in this instance "so that there can be no misunderstanding as to what is said." And for that I, for one, am duly grateful. For a copy of this manuscript came to my desk the other day and I decided to read it through very carefully.

* * * *

HERE ARE SOME CHOICE excerpts from this historic document:

"The problem of individual adjustment to individual surroundings is one of the most important for all races and groups. And it is the one which most nearly demands individualized solution . . I use the expression 'individualized solution' advisedly. There is no other basis upon which most problems of human relationship can be adjusted. Such problems cannot be disposed of by any fiat of law intended to apply to all the individuals of a group or race. On the other hand, if all, or a large portion, of the members of any two races or groups will individually adjust their problems, then the collective problems of the group will also be solved, insofar as such problems are capable of human solution.

". . . The intensity of all problems arising from racial contacts is in proportion to the numbers involved . . . The extent of racial reactions and animosities, inevitably incident to such experiments (inter-racial education) and the degree of permanent harm thereby engendered, are beyond calculation. Certainly no friend of either race will ever countenance any such vicious and hopeless undertaking here.

"We hear a good deal these days about the effects of certain decisions of New Deal Federal Courts. Where such decisions have been of any value whatever to the Negro race, it is only because they have been in line with local public sentiment and have only supported or accelerated sentiment already in favor of doing more for Negro education, or for other movements in the Negroe's behalf. for Negro education, or for other movements in the Negro's behalf. No law, no court decision, hostile to public sentiment, has ever stood up for any considerable period of time, anywhere in the English-speaking world.

* * * *

"AS OUTSTANDING MEMBERS of your race, as leaders of your people in this state, as teachers in the schools of your counties and towns, I ask you what could your people gain in any contest between outside efforts and the force of fixed and determined public sentiment? I do not hesitate to say that the people who advocate such a contest, regardless of their alleged motives, are your enemies and not your friends. The loss of the friendship and good will of your local white people is the price you would have to pay. And this means that you would lose even if you won.

"With that general statement of the soundness of the principle of segregation let me now state my position in plain, easily understood words so that everyone will know on what basis I propose to work with you on any program we may agree to be mutually beneficial. Whether as a public official or a private citizen, I shall believe in, work to sustain, and insist on adequate, but separate, educational institutions.

* * * *

"SINCE MY ADMINISTRATION is definitely and positively committed to the principle of segregation, I will not name on any commission to represent me any man or woman of either race unless he or she publicly and positively subscribes to the principle of segregation."

Governor Wright's remarks speak for themselves and hardly need any additional comment other than to say that, under the circumstances, they are hardly becoming to one who aspired to the Vice Presidential toga, albeit on the Dixiecrat ticket.

But if any further comment were necessary I can think of none more appropriate in the premises than that voiced by W. Milan Davis, president of the State Association of Teachers in Negro schools. Responding to Gov. Wright's address, and answering the governor's charge of outside interference in the State's affairs, Mr. Davis observed rather succinctly:

"Outside interference is no worse than inside neglect."

Dose Of Democracy Is Cure For America's Ills, Says Arnall

TROY, ALA., Aug. 10—A good dose of democracy will cure America's ills, Ellis Arnall, ex-governor of Georgia, told State College students here.

Arnall believes, among other things, people are tired of hearing racial and religious hatreds preached.

President Dr. Charles B. Smith, introduced Arnall, and presided at the meeting. Several hundred students heard the lecture.

Highlights Listed

Here are some of the highlights:

"In a democracy the important equation is the freedom of the individual, his dignity and liberty," Arnall said.

The former governor then ranged briefly over a wide panorama of political-sociological matters.

Foreign policy: There will be no war with Russia if we keep Russia on notice that democracy will not default to the infamous doctrine of communism which robs the individual of his liberty and freedom.

Defines Domestic Policy

Domestic policy: "We need an aggressive and active faith in popular government and in public justice in America if we are to promote it throughout the world. We must improve conditions in our nation, state, and community. We must wage relentless war on ignorance, disease and poverty. Our economy must be expanded. Fair treatment must be accorded to all sections of our common country."

Peace: After enumerating Roosevelt's Four Freedoms, Arnall declared: "They (the people) do not want a scientifically planned existence. Living is an art, not a science. People want peace and security as elements of individual security — not at the sacrifice of any essential freedom. People are hostile to imperialism. They have a faith that democracy is the best safeguard for people in the world."

Education: People want a realistic program of education. They want good schools. They feel that federal assistance through an equalization fund to economically depressed areas of the nation is essential. The people are concerned that our nation spends only 1.5 per cent of our national income on education of our youth."

Health Needs Listed

Health: "People want more doctors, nurses, dentists, hospitals and clinics. They want the medical colleges to expand. Especially in rural America is the shortage of medical men and women acute."

Hate: "The people want an end to the preaching of racial and religious hatred. While they suspect some minorities of unjustified sensitiveness, they are weary of the failure to adjust these problems upon the American ideal of freedom. They want no special privileges for either minorities or majorites."

One Country: "The people want one country. It is a tradition in America that if you do not like it where you are, you can load yourself, your family, and your furniture in a covered wagon, or a trailer, and set off to some part of the country of your fancy. Everywhere I have gone in America on a journey that has carried me more than 100,000 miles and into each of the 48 states, I have found evidence that the people want one common country, with opportunity for every citizen, justice for all, security for all, and freedom to think, freedom to experiment with life, freedom to dream."

Suggests They Darken Their Faces for Week

Says Report on Dixie Tour Shows Failure to Meet Right People; Gives Real Picture

NASHVILLE—(ANP) — W. J. Faulkner, dean of the chapel of Fisk University, is justly hot under the collar about a report made by four white students from Andover, Mass., which said, "colored Southerners themselves would not welcome abolition of racial segregation and are happy under it."

This report, published by the New York Herald Tribune on Aug. 6, was entitled "Four Students Discover the South."

Faulkner, in his letter to the paper on Aug. 9, declared: "They were certainly naive. Having lived and worked in the region for more than 50 years, I have yet to find one colored person worth his salt who would not rejoice tomorrow if every form of racial segregation were wiped out by law!

"And thousands of them are working their hearts out to accomplish just that."

What of Their Background?

He asked several questions, aimed at proving the students' views were one-sided. They were:

"Is not the background of the four students Southern?

"Weren't they guided or subtly coached by the right people in their colored-white contacts?

"Was it impossible for them to interview any of the colored students who hated segregation so bitterly that they compelled, by court action, state university authorities in Oklahoma, Arkansas, Kentucky and West Virginia to admit them as graduate students?

"Did not the studens meet any militant colored persons and white liberals who are constantly protesting the evils of racial discrimination in education, housing, sanitation, employment, hospitalization, transportation, voting, etc.?

Let Them Darken Faces

Faulkner then said: "Since the students apparently missed these contacts, I would suggest that next year they dare a real experiment to find out how the colored Southerner lives, thinks and plans under jim-crow laws.

"Let them darken their faces two shades of brown and travel for one week in Dixie—if they can take it that long.

"Then, after several hours on the back seat of a bus, try to move forward to a more comfortable position, or attempt to get a decent meal en route, especially in Nashville or Chatanooga, Tenn.

"Or, if they are on a train, in a 'mixed coach,' let them try to retain their seats after leaving Washington, Cincinnati or Evansville, Ind.; or undertake to eat in the dining car without being ordered behind a curtain next to the kitchen.

What They Would Experience

"Or, if they travel by auto, stop in a downtown section of any city or town and order a meal or an ice cream soda, or try to secure lodgings anywhere overnight in a hotel or motel.

"Or, maybe they would like to take a swim, or enter the Parthenon (except on Thursdays), or borrow a book from the central public library, or enter the front door of the Atlanta Terminal Railroad station, or walk through one of the beautiful parks, and see what would happen!

"Or, if one became suddenly ill, or injured, he might try to enter a city or county hospital for treatment in company with his colored physician.

"The results from any of the above ordinary human impulses, if acted upon by these "colored" students, would make headlines in their campus paper, that is, if they get out of jail or off the chain gang in time to meet the deadline of the fall edition.

"The charge: "Disorderly conduct" for violating the jim crow laws."

One Week Would Be Enough

"Or, the apology from the police officers would make interesting reading when they discovered that white students were only playing at being colored. (Bayard Rustin, a young colored Quaker, recently returned from India to serve a 30-day sentence in North Carolina for refusing to move back in a bus).

"One week's experience of living under legal segregation, which attempts by law to isolate a man's body and kill his soul, should convince any four Brooks school lads that an colored American who says he likes racial segregation and wants it perpetuated is either frustrated or crazy.

"In neither case is he a credit to his own community or the nation, and should not be quoted in defense of an immoral and indecent American social practice."

Deeply Religious

Late Mr. Justice Murphy Fought Race Intolerance

EDITOR'S NOTE: Considering the loss by death of Justice Frank Murphy, U. S. Supreme Court, as of vital importance to Negroes and other underprivileged people in America, The Courier is having a member of its legal staff review the great liberal's life and contribution to the cause of American democracy. This is the third in a series of articles on him.

By **ATTY. MILTON R. HENRY**, Member of Courier Legal Staff.

Generations to come will rely upon his pleas for religious and civil liberty as they attempt to defend their own. Decisions like Jones v. Opelika, 316 U. S. 584, and Prince v. Massachusetts, 321 U. S. 158, and West Virginia Board of Education v. Barnette, 319 U. S. 624,646, or Martin v. Struthers, 319 U. S. 141, 149, in which he fought to protect the right of persons in this country to worship their God according to the dictates of their own consciences, will remain immortal.

Over and over again he voiced sentiments such as these from Martin v. Struthers:

"I believe that nothing enjoys a higher estate in our society than the right given by the First and Fourteenth Amendments freely to practice and proclaim one's religious conviction . . . That right extends to the aggressive and disputatious as well as to the meek and acquiescent.

CITES RELIGION

"But the people of this nation have ordained in the light of history, that, in spite of the probabilities of excesses and abuses, these liberties are, in the long view essential to an enlightened opinion and right conduct on the part of the citizens of a democracy . . .

"If a belief has substance it can survive criticism, heated and abusive though it may be, with the aid of truth and reason alone."

BACKED INDIAN RELIEF

No area of life can be pointed to in which Justice Murphy failed to do his clear duty. While others were denying the rights of the Indians to relief in various matters, Justice Murphy stood firm in their behalf and in condemnation of those officials who would do otherwise. In Creek Nation v. United States, 318 U. S. 629, 641, we find:

"As a people our dealing with the Indian tribes have been too often marked by injustice, neglect and even ruthless disregard of their interests and necessities. As a nation we have incurred moral and political responsibilities toward them and their descendents, which have been requited in some treaties and statutes framed for the protection and advancement of their interests.

"Those enactments should always be read in the light of this high and

noble purpose in a manner that will give full scope and effect to the humane and liberal policy that has been adopted by the Congress to rectify past wrongs . . . it was the Secretary's duty to act to protect the Indian beneficiary who should not be expected to assume the burden of acting on their own behalf."

TOLERANT TO OBJECTORS

Probably one of the most difficult decisions for the Supreme Court to reach in a period of national stress was that reached in Estep v. U. S., 327 U. S. 114, 125, where the right of draftees and conscientious objectors to protest improper conscription was upheld.

Justice Murphy in the least technical of all the concurring opinions, simply stated his reasons why objectors to improper conscription should be able to test the propriety of their orders for induction:

"It is alleged . . . that to allow a full hearing in a criminal proceeding under the (draft) act would be to extend an open invitation to all inductees to disobey their induction orders and litigate the validity of the orders in . . . subsequent trials. This is at best a poor excuse for stripping petitioners of their rights to due process of law.

RESPECTED MEN'S PRINCIPLES

"There is something basically wrong and unjust about a juridicial system that sanctions the imprisonment of a man without ever according him the opportunity to claim that the charge made against him is illegal. I am not yet willing to conclude that we have such a system in this nation.

"Every fiber of the Constitution and every legal principle of justice and fairness indicate otherwise. The reports are filled with decisions offering the right to a fair and full hearing, the opportunity to present every possible defense to a criminal charge and the chance at some point to challenge an administrative order before punishment.

"These rudimentary concepts are ingrained in our legal framework an stand ready for use whenever life or liberty is in jeopardy. The need for their application in this instance seems beyond dispute."

DEMANDED "JUST TRIALS"

One of his greatest concerns was the protection of the right to a fair and just trial. Goldman v. U. S., 316 U. S. 129, 136; Glasser v. U. S., 315 U. S. 60; Goldstein v. U. S., 316 U. S. 114, 125; and Adam v. U. S. ex rel McCann, 317 U. S. 269, are above examples in dissent of his strong belief in the right of man to trial before an impartial tribunal when convicted of crime.

An example of this compelling concern can be found in the last cited case, where Justice Murphy said:

"The Constitution provides: The trial of all crimes, . . . shall be by jury . . . I do not concede that the right to a jury trial can be waived in criminal proceedings in the Federal courts. Whatever may be the logic of the matter, there is a considerable practicable difference between trial by eleven jurors . . . and trial to the court, and practicality is a sturdy guide to the preservation of Constitutional guaranties."

PHILOSOPHIZED JUSTICE

This same concern was reflected even on the international level. One of the most lyrically beautiful and significant passages of prose ever written in any Supreme Court report appeared in Murphy's dissent in favor of General Yamashita, who had been convicted unfairly, he felt, by a military tribunal, 327 U. S. 1, 29:

"The high feeling of the moment will doubtless be satisfied. But in the sober afterglow will come the realization of the boundless and dangerous implications of the procedure sanctioned today . . .

"We are dealing with the rights of man on an international level . . . That just punishment should be meted out to all those responsible for criminal acts . . . is beyond dispute. " . . . But these factors do not answer the problem in this case. They do not justify the abandonment of our devotion to justice in dealing with a fallen enemy commander. To conclude (so) is to admit that the enemy has lost the battle but destroyed our ideals."

Dwight Eisenhower Predicts End To U. S. Racial Bias

NEW YORK — (SNS)— General Eisenhower, president of Columbia University, envisions a day when racial prejudice will vanish and all U. S. citizens will be known simply as Americans.

The famous war leader said so last week when he spoke at an outdoor dedication of the renovated boys' building of the Harlem branch of the YMCA.

Speaking before an enthusiastic audience of 10,000 gathered along 135th St. "Ike" hailed the great strides made by Negroes since the civil war. He spoke glowingly of such American figures as Booker T. Washington, George Washington Carver, Jackie Robinson and Ralph Bunche.

Eisenhower warned against the intrusion into American life of agitators,", "Agitators" he said, are always attaching the Negro.

"But the 10 per cent of the population which is Negro has held fast. They have their representatives under crosses and they never hesitated to spill their blood for their country, he continued."

A plaque was unveiled in memory of Dr. Peyton F. Anderson, former chairman of the YMCA branch's board of managers. Anderson's widow unveiled the plaque.

Red, Racial Issues Face High Court

Free Speech, Segregation At Core Of Problems Confronting Court

WASHINGTON, Oct. 1—(AP)—The Supreme Court returns from vacation Monday to face an unusually difficult stack of appeals involving Communist and racial segregation issues.

Communists and alleged Communist sympathizers have placed before the highest tribunal complaints that their rights under the U. S. constitution have been violated. They emphasize the rights of free speech and assembly, and the right against self-incrimination.

The court in other appeals is asked to declare that segregation of Negroes is discrimination and a violation of the constitution's guarantee of equal protection of the laws.

Chief Justice Vinson took an advance look at all the appeals and tipped off his associate justices that they will have to "wrestle with weighty, knotty problems."

Movie Writers Appeal

Outstanding among the appeals pending are those by movie writers John Howard Lawson and Dalton Trumbo. For refusing to tell the House committee on un-American activities whether they were members of the Communist party, they were convicted of contempt of Congress. Each was fined $1,000 and given a year in jail.

The court has agreed to rule on constitutionality of the Taft-Hartley law requirement that union officials must file non-Communist affidavits if they wish to use machinery of the National Labor Relations Board.

The racial issue is involved in various appeals taken to the high court. Two Negroes have filed suits asking that state universities be required to admit them on a non-segregated basis. They are:

Law School—Issue

Herman Marion Sweatt, Houston, who wants to be admitted to the white law school of the University of Texas. Texas state courts ruled that a separate law school set up for Negroes offers him equal advantages.

The two appeals involve a doctrine laid down years ago by the Supreme Court—that a state must admit Negroes to its public schools, or provide separate ones equally good. Attorneys for Sweatt say 17 states and the District of Columbia now make separation of races in schools mandatory by law.

The Supreme Court has agreed to review a California state court decision that Negroes may be prohibited from picketing a store where their purpose is to induce the store to hire more Negro workers.

A decision also was promised in the new term on a Baltimore Negro's complaint that dining car regulations on Southern railroads discriminate against members of his race.

Court Upholds Lewis Fine; Accepts 3 Segregation Tests

WASHINGTON, Nov. 7—(AP)—For a second time, the Supreme Court upheld today the contempt-of-court fines with which the government in the past has cracked down on walkouts by John L. Lewis' United Mine Workers.

The action came at a time when the White House is weighing the possible use of the same Taft-Hartley Act procedure once again in an attempt to halt the current 49-day-old work stoppage in soft coal mines.

By a 5-3 vote the court refused to review a decision by the U. S. Circuit Court here affirming the fines against Lewis and his union for refusing to end a 1948 work stoppage.

Those who voted against the UMW's petition for review were Chief Justice Vinson and Justices Frankfurter, Jackson, Burton and Minton. In favor of review were Justices Black, Reed and Douglas. Justice Clark took no part.

Turns Down Brotherhoods

Among other things, the court:

1. Refused to rule on constitutionality of an injunction which the government obtained to halt a threatened strike by three railroad brotherhoods in 1948. The dispute was settled and the railroads returned from government to private operation, but the unions contested the validity of the injunction.

The local Court of Appeals dismissed the union case on grounds no live issue was involved. In refusing to review the case, the Supreme Court presumably followed the same reasoning.

2. Agreed to review two major school segregation cases.

One arose in Oklahoma. A Negro, G. W. McLaurin, contended that his rights were violated because the University of Oklahoma required him to sit in an anteroom, apart from white students in the same class. A special three-judge federal court, which earlier had ordered the university to admit McLaurin, rejected his new appeal. It said he enjoys educational opportunities equal to those afforded white students.

The other segregation cases came from Texas. A Negro, Heman Marion Sweatt, asked the court to throw out sections of the state constitution and law which require separation of races in public education.

Reinstates Injunction

He sought unsuccessfully to be admitted to the white law school of the University of Texas, arguing that separate schools provided for Negroes are invariably inferior to those for white persons.

3. Reinstated an injunction which barred the Brotherhood of Locomotive Firemen and Enginemen and three southern railroads from continued alleged discrimination against Negro firemen in assigning.

The injunction, first issued in District Court here, had been thrown out on technical grounds by the Court of Appeals. The Supreme Court reversed the Appeals bench and reinstated it.

"The Railway Labor Act imposes upon the brotherhoods the duty to represent all members of the craft without discrimination and invests a racial minority of the craft with the right to enforce that duty," Jackson wrote. "If . . . there remains any illusion that the . . . Federal courts are powerless to enforce these rights, we dispel it now."

Segregation Bills Are Introduced In State Senate

Two bills aimed at strengthing Georgia's racial segregation laws were introduced in the State Senate yesterday by Sen. Jimmy Dykes of Cochran.

One would prohibit mingling of the races at all public parks, swimming pools, golf courses and other places of recreation. Another would prohibit whites and Negroes from participating together in athletic contests, exhibitions of practice games, or in orchestras, stage shows or other entertainments. Violation of either law would constitute a misdemeanor.

The latter bill apparently would affect major-league baseball clubs that might attempt to use Negroes in their line-ups in exhibition games in Georgia.

The Senate adopted a resolution to adjourn at 6 p. m., Saturday, and passed another to accept Talmadge Memorial Commission funds to install chimes in the Capitol as a memorial to World War heroes. Sen. Roy LeCraw, of Atlanta, explained the funds which would be used for the chimes were in excess of collected funds needed by the Talmadge Memorial Commission to erect a monument to the late Eugene Talmadge.

Another important new bill was introduced to require motor-vehicle owners to show proof they had paid their city and state taxes on their automobiles when they registered them for license plates.

A resolution by Sen. LeCraw was adopted, indorsing State Commander Erle Cocke, Jr., for National Commander of the American Legion.

British Tars Fight Against Jim Crowism

SAVANNAH, Ga. — A "Jim Crow" custom of the South has landed six British seamen in jail for nearly starting a riot.

Witnesses reported the six put up a good fight over installation of a "For Negroes Only" drinking fountain aboard their own ship, the Buccaneer.

All six were scheduled for trial on charges of disorderly conduct.

Before they were carted off to jail Friday by six armed policemen, they apparently had cleared their ship of white workmen.

Policeman W. J. Logan said the fight started after the tanker, registered in Panama, put into Savannah for conversion to dry cargo.

Workmen swarming aboard followed their custom of setting up two drinking fountains, one for whites and one for Negroes.

The six, all dark-skinned natives of the British West Indies, used the fountain for whites. The workmen said they would leave the ship.

That did it. Logan said the seamen went to work with their fists and also drew knives. No one was hurt, he added.

The seamen claimed they are neither whites nor Negroes, but simply British subjects to whom the South's segregation policy does not apply---at least not aboard their own vessel.

Hartsfield, Brown Clash On Race Issues Here

By HERMAN HANCOCK

The racial issue was injected into the Sept. 7 City Primary last night when Mayor Hartsfield and Charlie Brown, opposing candidates, engaged in a heated debate at Allen Temple AME Church.

A. T. Walden and J. W. Dobbs, Co-Chairmen who presided, deplored injection of the race issue.

When Hartsfield began his address, he displayed a letter telling that Ulysses and Marion Brooks, Negroes, of 596 Chestnut St., N. W., were requested not to sit on a bench at Plaza Park Monday night by a policeman named Tarlton. It quoted Tarlton as saying "he was sorry but that we could not sit there." The couple signed the letter.

"That is an underhand effort to inject the racial issue in this campaign and I know nothing about it," Hartsfield said. "I stand for fair treatment of the Negro race. It is funny to me that this occurred and it is reported to Charlie Brown when I know nothing of it.

"No Negro is going to be arrested for sitting on a bench in an Atlanta Park. I have stood for public housing and propose to see that Negroes get their fair share of the $30,000,000 which will be spent here in the next two years. I am for rent controls."

When Brown took the floor, he exhibited what he said was a copy of a letter Hartsfield wrote Real Estate men Jan. 7, 1943, urging extension of Atlanta's City limits. The letter read in part:

"But the most important thing to remember cannot be publicized in the press or made the subject of public speeches.

"Our Negro population is growing by leaps and bounds. They stay in the City limits and grow by taking more white territory inside Atlanta. Our migration is good, white, home-owning citizens.

"With the Federal Government insisting on political recognition of Negroes in local affairs, the time is not far distant when they will become a potent force in Atlanta if our white citizens are just going to move out and give it to them.

"This is not intended to stir race prejudice because all of us want to deal fairly with them, but do you want to hand them political control of Atlanta, either as a majority or a powerful minority vote?"

Dobbs asked Brown about Bagley Park, Negro settlement in the Buckhead area, which was moved at a reported cost of $200,000 to build a park. Hartsfield has charged that the park has never been developed.

"The County Health Department insisted that we clear it out because it was regarded as a health hazard and had no sewers," Brown said.

Other brushes occurred when John T. Cason, opposing Fourth Ward Board Member D. M. Therrell, and T. Hanes Backus, opposing Sixth Ward Board Member J. Austin Dilbeck, asked for support.

Dobbs took the floor again to say members of the Board do not come to the Negro meetings.

"The Board has not treated us right," he aded. "We want equal educational facilities and equal pay for our teachers. They can be separate. All we want is equal treatment."

Both Cason and Backus promised equal treatment.

Practically all other candidates in the contested races appeared, making substantially the same speeches they have made at other times.

Bill Todd in a radio address last night attacked Hartsfield's administration of police affairs, charging that two brothers of Police Chief Jenkins are or have been interested in outside jobs. He said Hartsfield and Jenkins know the "identity of the king of the bug racket in Atlanta," but nothing is done about it.

Miss Evelyn Sutton also spoke in behalf of Brown's candidacy.

Candidates have been invited to a rally at the Inman Park Woman's Club on Euclid Avenue at 7 p. m. today. The session will be sponsored by the Northeast Atlanta Lions Club.

W. I. Seamen Use 'White' Fountain

SAVANNAH, Ga.—Six British West Indian seamen, crew members of the Panamanian ship Buccaneer, were jailed Friday for disorderly conduct, cursing and threatening white workmen, after they used a drinking fountain marked "for white only."

The ship put into the Savannah Machine and Foundry Company from Le Havre, France, for conversion from a tanker to a dry cargo vessel.

Chase White Workmen

The West Indian seamen had apparently chased the white workmen from the ship after they protesting against use of "their" drinking fountain and refused to work until the jim-crow custom was observed.

It took six officers armed with pistols to stop the fight.

Talmadge Says Georgia Won't End Segregation

ATLANTA, Oct. 22— (U.P.) — Gov. Herman Talmadge drew from his late father's white supremacy preachings today to assert that Georgia "will never consentnbgetaonfton u n u naop submit to one inch of encroachment on our traditional pattern of segregation."

Silent on the racial issue during most of his brief administration, the 36-year-old son of "Ole Gene" Talmadge made a statewide broadcast attacking a suit by 18 young Negroes seeking equal educational facilities.

The suit will be heard in U. S. district court at Valdosta, Ga., Nov. 10.

Mrs. Nash Loses Anti-Jim Crow Suit

After twenty minutes' deliberation an all-white jury returned a verdict in favor of the defendant, Air Terminal Services, Inc., operator of the airport restaurants.

Mrs. Nash charged that she was refused service and ejected from the dining room on February 17, 1947, while she and her husband, Dr. William M. Nash, a Washington physician, were waiting to board an Eastern Air Lines plane for New Orleans. She said she and Dr. Nash were instructed to eat instead in a "basement cafeteria" set aside for colored travelers.

She became "progressively emotionally disturbed" after the incident, to the point of crying and vomiting, according to Dr. Nash. Her mental condition has not been the same since, said William S. Thompson, Washington attorney, who represented her.

The defense, represented by Frederick J. Ball, contended "substantially equal" facilities were offered Mrs. Nash in the airport's segregated cafeteria.

RULES AGAINST JIM CROW

Judge Albert V. Bryan told the jury that the matter of segregation was not involved in the case. He said they were to determine only two things: Whether eating facilities at the airport were substantially equal for colored and white persons, and whether there was cause for Mrs. Nash to recover damages.

The suit was based on the theory that the Fifth Amendment to the Constitution, existing Federal civil rights laws and the Civil Aeronautics Act prohibit race discrimination of the type practiced against Mrs. Nash.

The airport, owned and operated by the Federal Government, is located at Gravelly Point on the Virginia side of the Potomac River.

Mrs. Nash alleged that the Civil Aeronautics Administrator negotiated a contract with the Air Terminal Services, Inc., requiring the latter to comply with all Federal and State laws applicable to its business at the airport, and instructed the concessionaire not to feed or serve colored interstate passengers in the same dining room and coffee shop with white passengers.

Mrs. Nash contended that this ruling constituted a Federal regulation of interstate air commerce which deprived colored interstate passengers of due process of law and the equal protection of the laws guaranteed them by the Federal Constitution.

Mrs. Nash's suit was one of three filed against the airport and Federal authorities in 1948, but two of them were withdrawn after the Civil Aeronautics Administration directed the operation of all facilities at the airport without discrimination or segregation.

Mrs. Nash taught English at Dunbar High School in Washington for fourteen years before she resigned in 1945.

Segregation In County Jail Ends

By R. B. GOLDSBERRY

The color line in the Cook County jail ended this week, according to Warden John R. Cranor.

The newly appointed 64-year-old prison head declared he abandoned the jail's long-standing Jim Crow policy for two reasons: Because he fundamentally believes segregation should be abolished and because it is not in keeping with the law of civil rights.

New inmates coming into jail are being integrated, Cranor said, and segregation is going out with those who are leaving.

Applies To All

The non-discriminatory policy will apply to all, he explained.

"I am very happy to know Sheriff Walsh is in favor of banning segregation in the jail," Cranor asserted.

Two days after he had fired Warden Frank Sain in a surprise move, Sheriff Elmer Michael Walsh told the Chicago Defender that Jim Crow in the county jail must go.

Negro Inspector

Cranor said that during his experience as an administrator of penal institutions, the Cook County jail is the first in which he has encountered segregation of prisoners.

"Where there was no segregation of prisoners, everyone was happy," he pointed out. "All the inmates got along together."

Cranor disclosed that some of his top officers at the jail are Negroes. One, Edgar Stevens, has been appointed inspector, one of the most responsible positions in the jail, he said.

Bias Uncovered At Huge Chicago Clothing Store

CHICAGO — (ANP) — Surprised Negroes wishing to shop at Morris B. Sach's clothing store at the 63rd Halsted Street shopping center in Chicago have recently discovered the existence of bias as a store pol-

Rumors had been circulating recently on this viewpoint, but positive evidence was gained last week when the Committee of Racial Equality investigated. Negro members were told they need not enter unless they had charge accounts, but whites entered without anything being said.

If a colored person wished to start a charge account she would be sent upstairs to sign all the papers. One woman has been waiting six months for action, however, from the store.

This apparent discrimination is not well known in Chicago because this store is one of the city's most publicized stores featuring better quality women's clothing.

On the air for years it has featured an amateur hour program which featured both Negro and white talented youth.

The Anti Defamation league of B'nai B'rth of which the store's owner is a member will investigate the situation.

RACIAL BALLOT SET BY BRIDGE LEAGUE

Von Zedtwitz Group's Proposal Against Negroes Tabled for Referendum

By GEORGE ECKEL

Special to THE NEW YORK TIMES.

CHICAGO, Aug. 3—The board of directors of the American Contract Bridge League, which is holding its summer national championships tournament here, voted early today to refer to the league membership the question of admitting Negroes as members.

The action was taken on motion of Bertram Lebhar Jr., president of the Greater New York Bridge Association, after two hours of discussion. Mr. Leebhar moved to table a resolution that would have amended the league's by-laws so as to bar Negroes, and to conduct a membership referendum by mail on the question.

Mr. Lebhar, who headed the delegation of five directors from the New York unit, argued on instructions from the New York membership that Negroes be admitted to the league and be permitted to play in league-sponsored tournaments. He said his unit sought "affirmative" legislation on the subject and wished to spike any "negative" action that would give the league a discriminatory character. The New York unit has six Negroe members, who are not, however, members of the league.

League Has 60 Units

The league has more than 26,000 members in about sixty local units throughout the United States, and one unit at Montreal.

The outcome of a membership referendum on the race question is doubtful. While only an estimated 20 per cent of the league membership is in the South, units in the Midwest have gone on record against "mixed" membership in every instance where the question has been put. The New York, Boston and Philadelphia units, among the largest in the league, favor the admission of Negroes.

In the referendum ballot four questions will be asked:

1. Shall Negroes be barred from league membership altogether?
2. Shall the admission of Negroes be left to local option, each unit admitting or barring them as it sees fit?
3. Shall Negroes be permitted to play in national tournaments or in local tournaments only according to local option?
4. A question of negotiations between the ACBI and the American Bridge Association, a national Negro bridge organization, for an agreement that neither organization would accept for membership persons eligible for the other.

Meeting With ABA Slated

Dr. E. T. Belsaw of Mobile, Ala., president of the ABA, has expressed doubt that negotiations along the lines of Question 4 would serve any useful purpose. Dr. Belsaw has appointed a committee to meet league representatives here on Aug. 16.

The resolution tabled today came out of a meeting held on June 18 at Cleveland by a special committee to consider mixed membership. Committee chairman was Waldemar von Zedtwitz of New York, president emeritus of the league.

This resolution called for an clause in the league-by-laws that would limit eligibilty to persons "whose admission would not tend to impair the established functions of the league."

Difficulties over hotel reservations could constitute an "impairment" of the league's "established functions," it is contended.

The Cleveland committee of eleven, including Dr. Louis Mark, president of the league, reported that its members, except for Ray Hartley of Springfield, Mass., "declared themselves opposed to mixed membership and also to the principle of local option." The New York unit registered a dissent by telephone.

Student Group Protests Bias In Champaign

URBANA, Ill. — Thirteen delegates attending the second National Student Congress here unexpectedly walked into a case of discrimination that resulted in a sharply-worded demand for action by the national NSA body.

The group which contained five colored students entered Lombardi's Spaghetti House near the University of Illinois in Champaign on the night of Aug. 30.

Once seated they were told by the waitress that they would not be served. When asked why, the waitress replied, "Because I'm temperamental." (There is an Illinois statute which prohibits discrimination because of race, creed, or color in public places.)

The owner of Lombardi's was not present at the time, but a man who said he represented the management declared that the restaurant did not serve Negroes. The students, who come from all parts of the country, left immediately and met with members of the New York and California delegations to discuss further action.

The result was a resolution introduced the next afternoon by seven of the delegates who were in the restaurant party. This resolution called for prosecution of the restaurant by the NSA.

After some discussion in which the Illinois delegation hosts of the student congress, told the body that this was not an isolated case and that local groups were working on the problem, a compromise was worked out.

The Illinois delegation wanted the NSA body to allow it to carry out the fight against discrimination at Lombardi's and other places in the twin cities of Champaign-Urbana. The compromise resolution passed by the congress in the closing hours of the session gave the national executive council of the NSA final responsibility. Action however, was relegated to the Illinois student senate.

Among the delegates and alternates who were in the group were Chandler Davis, Sandwich, Mass., Harvard graduate school; Richard Gilmore, Virginia State College; Jerome Jones, Norfolk, Va., Virginia State College; James E. Morgan, Gary, Ind., City College of New York; Beverly Rubin, New York City, City College of New York; Alfred Cade, Emporia, Va., Virginia State College; Robert Zakon, Los Angeles, UCLA; Marilyn Mittman, New York City, New York University, school of education; Paul Rivet, New York City, New York University; and Winston McDaniel, University of Wisconsin.

The incident was the second of its kind since the congress opened its session on Aug. 24. The earlier case however was not prosecuted.

James T. Harris, president of NSA, and a Negro, declared earlier that if he had known that such conditions existed, he would not have approved the University of Illinois as the site of the congress.

Lena Horne Sues, Alleging 'Jim Crow'

CHICAGO, Sept. 20—(AP)—Singer Lena Horne asks $500 damages from a Chicago restaurant for allegedly refusing her admittance because she is a Negro.

Her suit filed in Superior Court yesterday said she and five friends, three of them Negro, were refused entrance to Caruso's restaurant by an employe on Sept. 16.

The suit said one of Miss Horne's companions was Mrs. Lillian Harper, a Negro, wife of Lucius Harper, executive editor of The Chicago Defender, Negro newspaper.

'Democracy Must March Forward,' Lionel Hampton Declares at Public Dance

The Iowa Bystander
Des Moines Iowa
Thurs. 3-10-49

South Bend, Ind. (NNPA)—The vibes-beating, drum-beating, civil rights champion, Lionel Hampton, beat Ole Jim Crow to the punch in a non-title bout at South Bend's Palais du Royale last Thursday night. Thurs. 3-10-49

When the "Messiah of Modern Music" arrived to play for a public dance, he was shocked to discover that the management expected him to play for a "Negro Only" dance. The management claimed that there had been some trouble between colored and white persons three years before and that the ballroom had adopted that policy as a consequence.

Gives Lecture

After buttonholing those responsible and giving them an ear-cutting lecture on the meaning of democracy Hampton told them what he was going to do if they did not change their plans immediately. He said:

"I am going to wait until the dance floor is crowded tonight and then stop playing right in the middle of "Flyin' Home" and ask all the dancers to promise me that they will never attend another restricted public dance at the Palais du Royale again."

Open Doors

The management came to their senses quickly and opened the doors to everyone that night. As usual, Hampton and his aggregation sent the dancers at the interracial affair into paroxysms of ecstasy—and the management made money.

Interview after the dance, Hampton said:

"I am going to write an open letter to all band leaders and all show people asking them to join me in boycotting theatres and dance halls where the management wants to play to a restricted audience.

"Democracy must march forward, and we musicians and show people must fight discrimination with every weapon at our disposal. If certain people want to continue the dark practices of years ago, we will leave them in the dark as far as entertainment is concerned, also."

Des Moines Study Reveals City Bias

DES MOINES, Ia. — (ANP) — Results of a self survey, revealed at a conference on human rights last week, disclosed that while Negroes suffer no discrimination in several areas, they suffer much bias in certain types of employment and in finding places to eat.

The survey was conducted by 78 Protestant churches in the city in cooperation with the local Council of Church Women.

Except for local government positions, the report given by Mrs. F. J. Weertz, chairman of the experiment committee, says Negroes are barred from more desirable jobs. It seems that union restrictions keep Negroes in menial positions.

The leading utilities, the Iowa Power and Light co., and the Northwestern Bell Telephone co. hire Negroes only in service and menial work. The city fire department hires no Negroes. The Des Moines Railway co. uses one Negro for manual labor.

Unions barring Negroes include painters, carpenters, and bricklayers. They are admitted to laborers and builders unions.

City stores hire no Negroes as clerks, Mrs. Weertz said. They may work in hospitals as nurses aides and maids, but do not have opportunities equal to those of white.

About housing, Mrs. Weertz said:

"Good locations are restricted to Negro people by customs of the Real Estate board. Poor houses are the only ones offered for living quarters and because of low wages they often cannot be repaired."

Only one bank in the city will loan money to help Negroes improve their property. Negroes with good jobs have well-kept homes, she reported.

Negroes find it almost impossible to eat in a public place in Des Moines. Mrs. Weertz said, "Negroes are given no service—merely ignored."

On the good side, Mrs. Weertz said there is no discrimination in the public schools or in Drake university. Business and commercial schools, except one giving courses

two nights a week, are closed to Negroes.

DES MOINES STORE ENDS JIM CROW, SERVES NEGROES

Des Moines, Ia. (ANP)
One more store that discriminated against Negroes bit the dust in Des Moines last week as the Katz Drug Store gave colored persons courteous service at the luncheonette counter. By bowing to democracy the Katz store also rids itself of eight pending civil rights cases in court. The store had been fined small sums many times in the past for violation of civil rights, but continued to refuse to serve Negroes.
Six Negroes and one white withdrew their suits against the store.

Black Dispatch
Sat. 12-24-49
Oklahoma City, Okla.

Hotel's Negro Policy Brings Shift In Health Group's Parley

The Kentucky Public Health Association has transferred business sessions of its first convention here next week from the Brown Hotel because of the hotel's policy regarding Negroes.

The sessions will be held at Warren Memorial Presbyterian Church, 400 W. Broadway, across the street from the Brown.

Dr. Bruce Underwood, State health commissioner who arranged the convention, said he had changed its plans after he learned the hotel's rules would have required Negro members of the association to use a service elevator to reach the meetings.

"I want the sessions open without restriction to all Kentucky public-health workers and any others in the state who are interested in health work," Dr. Underwood said.

An association banquet Thursday at 7 p.m. will be held at the Brown as originally planned. Governor Earle C. Clements will speak. The three-day convention will open Wednesday.

Commenting on the Brown's restriction, William Barnett, assistant manager, said "We do not take Negroes as guests and we feel that this consideration is due those we do have as guests."

By State Appellate Court

Racial Bars in Louisville Recreation Areas Are Upheld

Frankfort, Ky., Feb. 22 (AP).—Resolutions barring Negroes from city golf courses and the amphitheater in Louisville were upheld today by the Kentucky Court of Appeals, the State's highest court.

The resolutions were passed by the former board of park commissioners and adopted by the department of parks and recreation. They were attacked by Dr. P. O. Sweeney, Louisville Negro.

The high court ruled the department has the discretionary authority to impose such regulations. It also noted that the city has provided recreation areas for Negroes only.

"In this State the principle of social separation of the two races has been universally recognized from the very beginning, and has been written into the statutes of the State and the decisions of the Court of Appeals whenever the question has arisen," wrote Appellate Judge Roy Helm.

"It is obvious that the rights attempted to be secured in this case are social and not political," Helm said.

"To grant relief which the plaintiff (Dr. Sweeney) seeks would compel white persons to associate with colored persons, whether it were to their pleasure or not," Helm stated, adding: "This would be an infringement on the rights of white persons who would object to being compelled to comingle with colored persons."

The decision affirmed Jefferson Circuit Judge Lawrence F. Speckman.

Appeal Slated In Court Ruling On Negro Ban

Appellate Body Upholds Parks Segregation Here

A Court of Appeals ruling upholding regulations barring Negroes from Louisville's public golf courses and the Iroquois Amphitheater will be appealed "to the federal courts."

This was disclosed here yesterday by attorney Alfred Carroll after the State court at Frankfort announced its decision in a case brought by Dr. P. O. Sweeney, Negro dentist at 520 W. Walnut.

In his suit Dr. Sweeney attacked the regulations adopted by the Louisville Department of Parks and Recreation.

The ruling affirmed an opinion handed down here late in 1947 by Jefferson Circuit Judge Lawrence Speckman. In fact, the high court adopted Speckman's "well-considered opinion" as its own view, Appellate Judge Roy Helm said. Helm handled the case for the Court of Appeals.

Upholds City's Authority.

Holding that the Parks Department has the discretionary authority to impose the segregation regulations, the opinion declared:

"In this state the principle of social separation of the two races has been universally recognized from the very beginning, and has been written into the statutes of the State and the decisions of the Court of Appeals whenever the question has arisen.

"It is obvious that the rights attempted to be secured in this case are social and not political.

"To grant relief which the plaintiff seeks would compel white persons to associate with colored persons, whether it were to their pleasure or not. This would be an infringement on the rights of white persons who would object to being compelled to co-mingle with colored persons.

'Like Attracts Like.'

"This in no way is a reflection on the members of the colored race, for they have among their number many who have honored their race by their contribution to the higher arts and sciences; but the realistic fact remains, 'like attracts like,' and it is just plain human nature for persons of the same tastes and desires, whether they be black or white, to associate together for the purpose of enjoying themselves to the best advantage. That fact accounts for the separate strata of society even among members of the same race . . ."

"We're not surprised by the ruling," Carroll commented. The Negro attorney added that "We believe the Court of Appeals missed the point in the case."

"We contend we are not now being provided the equal facilities guaranteed by the Constitution," he said. "If the Parks Department can provide separate facilities it can meet the constitutional requirements as interpreted by the Supreme Court now. But if it can't, the department must admit us to equal, existing facilities."

The Court of Appeals took cognizance of the contention when it said: "The best solution of this social problem, and that which has proved to be the best for both the white and black race, is to provide separate facilities for each."

The opinion said the Amphitheater was built and paid for by a white association which leased the park site from the City.

Negroes never have tried to build an amphitheater nor have they ever asked the City to build golf courses in City parks for Negroes.

If they tried to build an amphitheater and were denied a park site for it, or if they asked the City to build an golf course for Negroes and their application were denied, then Negroes would have a cause for action, the High Court said.

Equal Representation For State Negroes Asked of Governor

To the Editor of The Courier-Journal:

The Governor's appointment of a special committee for the revision of the State Constitution appears to be a commendable gesture and something that needs to be done immediately. Seven attorneys were picked for the very difficult task. There was no Negro representative on the committee.

A great State, making recent strides toward equal citizenship, cannot afford to have first and second class citizens. Without Negro representation on the committee, we cannot present our problems and our demands for true and equal citizenship. We constantly live in segregated environments which include schools, churches, housing and parks. Take the educational situation; if there had been Negro representation when the vicious Day Law was enacted, it might have never passed. This law alone, not to think of the many others, has brought many criticisms, inconveniences and embarrassing situations to this State. The Negro's contribution to the new Constitution would remind other members if they were unconsciously infringing upon the the rights of minority groups. The presence of such a person or persons is not to write legislation specifically for Negroes, but to keep certain barriers to progress as the Day Law from creeping in.

How can Kentucky make the progress necessary and persist in these serious oversights when States like Oklahoma and Arkansas are repealing laws which permitted unfair practices? We feel slighted. At least one Negro should be appointed to the committee. When and if revision takes place, it is believed that it will be done chiefly on the basis of recommendations from this committee. The omission of a minority representative on that committee will mean that the recommendations will also omit the peculiar problems of the minorities.

We, the members of Alpha Upsilon Chapter of Kappa Alpha Psi Fraternity, Kentucky State College, would like to know if the worthwhileness of the presence of a Negro on the Governor's recently-appointed committee has been an oversight. We do hope that our good Governor will use all the human resources available at this opportune time to have composed a document which will be a standard bearer for the real principles of true democratic government.

JAMES W. HAMMONS.

Frankfort, Ky.

What about fulfilling your campaign promises in your own home state, Vice President Alben K. Barkley.

Bar Negroes in Parks Of Barkley's State

FRANKFORT, Ky. — The Kentucky court of appeals ruled Feb. 22 that the city of Louisville has the right to bar Negroes from

parks reserved for white persons.

"In this state the principle of social segregation of the two races has been universally recognized from the beginning," the court said in an opinion written by Judge Roy Helm, Harlan Democrat.

A Narrow Interpretation

The Catholic Church has again officially protested against certain types of segregation in the South. In New Orleans some 14 days ago Archbishop Joseph F. Rummel cancelled the annual Holy Hour scheduled for Sunday, Oct. 2, because of the city park board's insistence on segregation of Negro participants. The restriction, said the archbishop, was unacceptable to the sponsoring Metropolitan Council of the Holy Name Society.

It was the plan to include representatives of the colored Holy Name Societies in the Eucharistic procession. The various units were to proceed in alphabetical order, thus mixing the colored groups with the white.

In his statement expressing his "unspeakable regret" respecting the cancellation, Archbishop Rummel said: "As an expression of the Catholicity of our Holy Faith and the universality of the membership of our church, it has been our desire to include representatives of the colored Holy Name societies. . . . Naturally, we anticipated the consent and approval of the city park commission and of the park superintendent, since the observance has been planned and carried out on a strictly religious basis under conditions that guaranteed perfect order and a genuine atmosphere of reverence, Christian charity, and good will.

"Certain forms of segregation, and we dislike the term, may be justifiable, but frankly we can see no necessity for the ruling when there is a question of a purely religious observance under circumstances which offer every guarantee of orderliness and disciplinary control, not to speak of the respect and reverence which all members of our church have for religious functions, especially when these are organized to express faith in the most solemn mystery of the presence of Christ in the Holy Eucharist, and when these functions are conducted under the auspices and in the presence of the clergy and local ecclesiastical authority."

* * *

In the enforcement of segregation laws, the question of interpretation in a particular instance often becomes paramount. Narrowly interpreted, such laws can deprive communities of inspiring events, which could take place without in any way impairing the fundamentals of segregation.

We had an instance of the kind in the case of the proposed visit of the Freedom Train to Birmingham. The interpretation in that particular case put us in the ridiculous position of continuing to permit white and colored citizens to stand in line together before bank tellers' windows, in buying governmental licenses of various sorts and at railroad and bus ticket windows, while at the same time denying the races the privilege of viewing together the sacred relics of our national history.

Archbishop Rummel seems to feel somewhat similarly in respect of a religious celebration in New Orleans.

New Orleans Group Files Suit Against City Park

BY JAMES B. LAFOURCHE

NEW ORLEANS, La. -(ANP)- The New Orleans City Park Improvement association was named defendant in a suit here last week when a group of Negro citizens, represented by Atty. A. P. Turead, charged that they were denied the use of the city golf course because they were Negroes.

The petition asked the court to issue a permanent injunction restraining the New Orleans City Park Improvement association and Mr. Montreuil from denying the plantiffs and other Negroes the use of city park facilities because of race.

The plaintiffs, Mr. Detiege and the Criscent City Golf club charge that the defendants are maintaining and enforcing a policy by which they, the plaintiffs, and other Negro citizens, taxpayers and residents of New Orleans, are denied the use, the right of ingress, the right of stopping in, and having access to the golf links, tennis courts, stadium, picnic grounds, boating and other recreational facilities, because of race or color.

These facilities, according to the petition, are operated exclusively for the use of white persons, in direct violation of the Fourteenth amendment to the U. S. constitution and the constitution of the state of Louisiana.

NOT SURPRISED

Orleanians, both Negro and white are not surprised by the suit in view of the traditional practice of City park officials and because of several incidents.

The petition cited the attempt June 9, 1949, of the plaintiffs and other Negroes to use the City Park golf links, where two full-sized 18-hole courses are maintained for white golfers exclusively.

Attendants refused to sell tickets to the Negro golfers, however, whites who arrived later were premitted to play. The plaintiffs also pointed out that a letter requesting use of the city park golf course for a tournament was mailed Henry Thomas, the club professional at City park, June 10, 1949 but had not been answered when the suit was filed.

ANOTHER REQUEST

Plaintiffs, the petition states, requested the same information July 19 from Hypolite Dabezies, president of the New Orleans City Park Improvement association, who has contacted Negro parties other than the plaintiffs with a view of discouraging the demand for use of city park facilities by Negroes.

Another section of the petition cited the futile attempt by Catholic leaders to secure use of the city park stadium for a holy hour observance in which Negro and white members of the Metropolitan and Archidocesin councils of the Holy Name societies would participate in a procession, Oct. 1.

The city park officials insisted on the non-participation of Negroes and remained so adamant in their position that the observance was cancelled.

Alleging that the New Orleans City park Improvement association maintains and operates the New Orleans City park out of public funds, the plaintiffs asked tre federal court to issue a permanent injunction forever restraining and enjoining the defendants from making any distinction based on race or color in the use of facilities provided for citizens of New Orleans.

...regation ...for Parks
...land Area
...Md., March 25 (AP).—...more group has asked the ... to forbid Negroes at the ...ed Sandy Point Bayside ... or any other State recrea-
...fourth district Democratic ...ation last night introduced a ... to guarantee "equal use" of ... bathing beaches and recrea-...al areas owned by the State ...everyone, "without discrimina-...n as to race, color or creed."
...rule would apply to places ...rated by the State, its depart-...nts or anyone holding a lease ...m the State. Separate bathing ...hes or amusements also would ...prohibited.
...resolution singled out the ...ere Anne Arundel County site ...ently purchased by the State ...a park.

INTERRACIAL TENNIS FINES

...timore Also Gives 7 Whites Suspended Sentences

BALTIMORE, March 22 (AP)—...e white persons were fined and ...ceived suspended prison sen-...s today for promoting a ...ed tennis outing last summer ...h ... Negroes. One is a ...man.
They were convicted of conspir-...y to disturb the peace. The state ...ught a direct test of the segre-...tion policy in Baltimore's mu-...ipal parks.
Two of these involved are offi-...ials of the Maryland Progressive ...rty. Judge Herman M. Moser ...id it seemed clear to him the ...roup was "endeavoring to make ...olitical suckers out of a large ...roup of our population."
The fines were from $10 to $15 ...d the prison sentences ranged up ...o eighteen months.
Judge Moser said that suspend-...g the sentences and putting the ...fendants on two-year probation ...ould prevent claims of martyr-

Signs Removed

BALTIMORE

At the instigation of the AFRO, ...ew toilet signs on a new ...comfort station in Druid ... have been removed, ...ons, for both men and ... were removed on the or-... R. Brooke Maxwell, di-...f parks and recreation, aft-...AFRO complained that ...segregation was out of line ...r policy regarding pub-lic rest rooms and unnecessary.
The new station, constructed at a cost of $12,500, was placed into operation this summer. It is located on the Mall, where band concerts are held.

Jim Crow No Violation of Civil Rights, Jewett Says

Plea Made Through City Attorney in Answer to Suit to End Segregation in Police Court

By NAT TURNER

Rigid enforcement of jim crow seating in a court of justice is not a violation of any person's civil rights, Justice Carleton E. Jewett asserts in his answer to an AFRO-sponsored plea for an injunction to end segregation in police court here.

Instead, persons who refused to seat themselves in sections assigned to them according to race in police court become, ipso facto, violators of the law and are subject to arrest or expulsion from the courtroom on orders of the presiding magistrate.

Grounwork for the historic suit was laid here last month by Mesdames Gladys M. Barrett and Joyce D. Verson and Ernest L. Williams, all of whom seated themselves in the "white" section of the courtroom and refused to move until ordered escorted out by two policemen.

Court Tries Persuasion

Following their refusal to move on orders of a court bailiff and a policeman, Justice Jewett called them to the bench, questioned them and asked that they remove to the other side of the courtroom, but they refused to answer any questions on advice of their attorney, Lynwood E. Smith.

The officers who accompanied the trio to the "colored" conference room to remain "until their case is called," detained them for a brief while, but readily released them upon finding that they no longer desired to return to the courtroom.

In his answer, prepared and filed by the city attorney's office, Justice Jewett admits that the trio were ejected from the courtroom Sept. 14 upon his orders because they refused to comply with rules established by him for the conduct of the court's business.

Denies Rights Violated

Denying that the rights of the trio were violated, the justice asserts that "equal facilities," though segregated, are provided for persons of both races lawfully in the courtroom. Whites may sit on either side of the courtroom, but colored persons who sit on the "white" side are removed immediately.

In addition to segregating the spectators and witnesses in the courtroom, Justice Jewett also enforces rules thta require colored police officers to sit apart from their fellow policemen and an attempt is made to confine lawyers and reporters to certain tables.

Two tables are provided in the courtroom for attorneys (one on the white side and another on the colored side) and, likewise, two tables for newspaper reporters in front of the judge's bench (one for colored and the other for white).

Whites Never Molested

The rules governing the seating of attorneys and reporters are not rigidly enforced at all times, but the others are, except in the case of white persons, many of whom sit on the colored side at will and are never molested.

White laymen also have been permitted by the court to sit at tables reserved for lawyers, on either side of the courtroom, but Justice Jewett has been known to divert his attention from court business to order a colored person away from the counsel seats on the colored side of the room.

Theory Doesn't Work Out

Justice Jewett's theory is that white persons will fill "their side" of the room and colored persons their side. If either side is not filled with witnesses or spectators interested in cases and the other overflows, the overflow is to be channeled into the rear seats on the opposite side.

That has never happened, however, to white persons. It has been the custom to direct colored persons to the far side of the room on "their side" and if the white section overflows, they take seats on the colored side near the aisle in the center of the courtroom.

That is the manner in which the segregation system that Justice Jewett defends through the city attorney works in actual practice in a court of "justice" in the City of Richmond.

RACE GROUP LOSES APPEAL

Guilty in Baltimore Rumpus on Park Tennis Court

ANNAPOLIS, Nov. 17 (AP)—Maryland's highest court ruled today that seven persons conspired to disturb the peace when they promoted an interracial tennis tournament in a Baltimore public park.

The seven convicted and fined in Baltimore Criminal Court are all white. Two of them are officials of the Progressive party, which was active at the time of the incident in behalf of the Henry Wallace candidacy for President.

The Court of Appeals declined to rule on the legality of a Baltimore Park Board policy against white-Negro athletic events.

More than thirty were arrested originally after the Sunday afternoon ruckus at the park tennis courts in July, 1948. Most of them sat down on the courts and were carried to patrol wagons.

PICKET LINE REACTIVATED:

Maryland Theatre Reverts to Jim Crow

BALTIMORE

The Maryland Theatre, Franklin St. near Howard St., is again being picketed. The line, composed of both colored and white persons, went back on Tuesday night after the management reinstated its former policy of segregated seating.

On the whole, picketing has been without incident, excepting for the Wednesday afternoon matinee, when one of the members was assaulted by two men who exhibited emblems of a veterans' organization.

Bob Kaufman of the Baltimore Youth Fellowship was struck by two men as he attempted to join the picketers and again after the line ended its picketing for the afternoon performance.

Dares Whites to Picket

Observers say the incident occurred in the following manner: The men, both white, came up and watched the pickets for a time. One of them stated, "The first white man who gets in that line I will break his neck."

About that time Kaufman came up and was struck as he started to join the marchers. Officers were called. They spoke to the assailants but did not arrest them.

Later, when Kaufman was leaving the scene, both thugs jumped him as he neared Howard St. Officers were called again, but the men disappeared.

Last night (Thursday) a detail of officers from Northwestern District, including Lieutenant Weems was on hand. The picketing went on without trouble.

Molesters Don't Return

The reversal to the Jim Crow policy came Tuesday after two meetings of members of the Committee for Non-Segregation in Theatres in Baltimore with managers of the theatre.

The first meeting was held shortly before noon. Present were Mrs. Adah K. Jenkins, Mrs. Joan Banesch, Arts, Sciences and Professions, Dr. and Mrs. Gilbert Banfield, Bob Kaufman, Mrs. Beatrice Martin and Robert Watts, Baltimore NAACP; Harold Buchman, Mrs. Marcella Avnet and Mrs. Beatrice Kanter of the Progressive Party.

Representing the theatre were Edward Kaplan and Herbert Molter, lessees.

$4,500 Loss Reported

Kaplan told the committee the theatre lost $4,500 in bringing "The Heiress" here, because whites were remaining away on account of the non-segregation policy and colored patrons were not attending in sufficient numbers to offset the loss.

He added that a group of business men opposed to the new policy had offered $5,000 to have Jim-Crow again.

The group agreed to be responsible for the sale of 2,500 tickets to the current production, "Let Us Be Gay," starring Kay Francis, if non-segregation were continued.

Wanted $3,750 Bond

At 2 p.m., when Mesdames Jenkins, Benesch and Banfield returned for the tickets, they were met by Louis Hoffman, attorney for the Maryland Theatre Corporation, who told them that the group would have to put up a $3,750 bond.

Hoffman further told the women that the theatre backers, in changing the policy last spring, had figured on 90 per cent colored and 10 per cent white attendance.

He further stated that the leasees had been advised against bringing colored plays here this season so as not to brand the Maryland "a colored theatre."

The bonding proposal, which the group called "an ultimatum," was rejected.

Won't "Buy Legal Right"

Dr. Banfield declared, "the bond could be raised, but the committee has no intention of 'buying' a legal right."

Regarding the re-application of the Jim Crow policy, Mrs. Lillie M. Jackson, president of the NAACP, said "We will not be discouraged," adding:

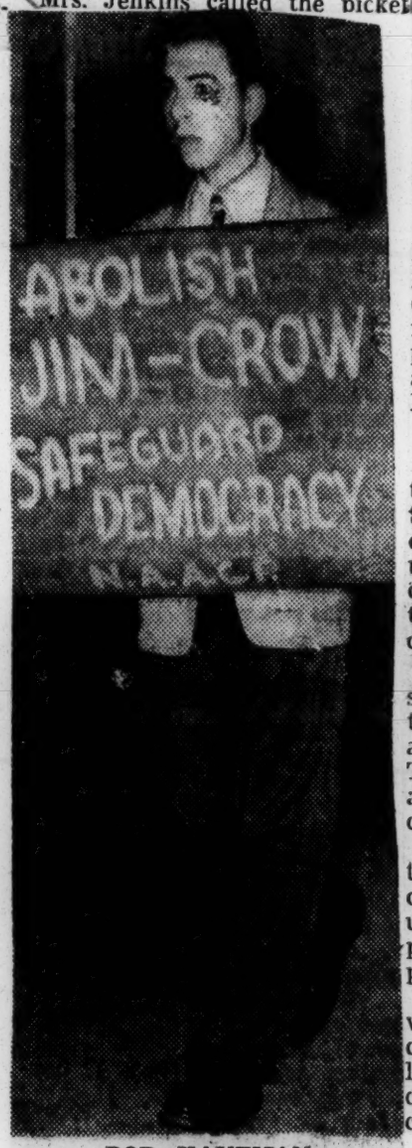
"This is just a temporary setback in the long struggle for first-class citizenship. The forces of bigotry and intolerance cannot hold back the tide of justice which is sweeping over the world."

She recalled that when John Brown was hanged at Harpers Ferry (Va.), the cry was that the Abolitionist Movement was dead. But just a few years later Lincoln issued the Emancipation Proclamation.

"The forces of hate cannot hold back the dawn of freedom which is just over the horizon," she declared.

Mrs. Jenkins called the picket line a peaceful, non-violent protest against segregation.

"After three and a half years of a similar picket line that the NAACP sponsors outside Ford's Theatre, I feel it is one of the very effective ways to register disapproval of the Maryland Theater's reversal to undemocratic practices," she added.



BOB KAUFMAN

Separate Golf Costly to City

Park Board Loses Prestige by Stand

BALTIMORE

After a year of operating the city golf courses by schedules which jim crow the players on "special days," the Park and Recreation Board is in the position of losing more of the city's money and what's left of its own prestige.

Latest figures show that during July and August, an average of 22 persons played golf on "colored day" at Clifton Park; 36 on "colored day" at Hillsdale course; and 21 at Mt. Pleasant.

And because these three 18-hole links are open to colored golfers on three single week days, these players forcibly are restricted on week ends, the main period of play, to the nine-hole and inadequate course at Carroll Park.

Hampers Tournaments

Charles Law, the plaintiff in the suit last year which opened the courses to all citizens, declared that the effect of the schedules is that colored golfers must conduct all of their week end tournaments at the smaller course.

The segregated schedules, restricting colored persons to Clifton on Wednesday, Mount Pleasant on Tuesdays and Hillsdale on Thursdays, was the park board's answer to the Federal Court decision in the Law case.

Leading citizens and organizations have tried in vain to point out to the board that the schedules discriminate against white persons as well as against colored persons.

For instance, an average of 290 white golfers use the Hillsdale course during the six days allotted to them. On the seventh day, they must use the nine-hole course at Carroll Park.

Daughters Welcome, Cape Cod Parents Stop Mixed Dances at Camp Edwards

Afro American. Dat. 9-24-49 Baltimore, Md.

38a (Mass.)

Civilian Prejudice Prevents Commander From Maintaining Army's Equality Policy

FALMOUTH, Mass., — Civilian mores of tradition-steeped Cape Cod residents have prevented army officials at Camp Edwards here from putting into full effect the non-segregation policies blueprinted by Defense Secretary Louis A. Johnson.

Colored National Guardsmen from several States, ROTC cadets and regular Army personnel stationed at the camp for summer training, worked, drilled and fraternized with whites—but were not allowed to attend "white" dances.

The ban on interracial dancing was forced by local whites who are horrified by the thought of their Caucasian daughters being held in the arms of copper-colored military men, Col. William M. Tow, camp commander, explained.

Here is the full story as told by Colonel Tow:

"In June, an ROTC Cadet dance was held. Since the unit consists of both races, proportionate num

"Several of the colored cadets requested dances from the white girls, permitting colored girls to sit them out.

"During the next day or two, parents of several of the white girls indicated that if mixed dances were to be held thereafter, they (the parents) could not permit their daughters to attend."

Stymied by Local Mores

"In spite of the Army's policy of non - segregation," Tow admits, "manifestly, no control over civilian reaction in the community was possible, thus making it necessary to conduct some dances for white personnel and others for colored personnel.

"Neither this Post (Camp Edwards) nor Special Services condone segregation policies, our mission being a fair and equitable distribution of facilities for all personnel, officers and enlisted men alike."

Afro American

Dance Schedules

"In proportion to troop strength on the Post and, in accordance with funds available for the support of dances, three per week were planned for whites, and one for colored troops," the colonel said.

Bal. 9-24-49

He added that contact with colored chaperons in neighboring towns established the fact that there were insufficient numbers of colored hostesses to support more than one dance weekly.

Chaperons suggested Thursday night as the most suitable of the week for the dance.

"It might be pointed out in this connection that, in proportion to troop strength, colored troops received more dance hours per man than did the white troops." Colonel Tow declared.

Not Enough Hostesses

Investigation in surrounding communities and among men on the Post revealed that the majority of colored hostesses supplied are domestics to whom Thursday night is the traditional "night out."

Colored soldiers who have been stationed at Camp Edwards were in agreement that while they might have had more dance hours than white troops, the majority of them found no companions with whom to share these hours.

At one affair attended by troops of the Connecticut National Guard, it was reported that there were some 200 hostesses to 1000 colored troops.

White Guardsmen Indignant

An ironical twist was the attitude of white Connecticut Guardsmen who have become well-indoctrinated with the State's new policy of complete integration.

Several first-three-graders were highly indignant about the jim-crow "colored" dances.

These white troops have come to enjoy a natural unihibited fellowship with the more than 100 colored soldiers who have signed up. They resented being barred from colored affairs.

WAC Major Praised

Significantl, less than a week after the unsucessful attempt to stage a mixed dance at Camp Edwards, a noted colored WAC major was placed on temporary duty at the Post to assist the white Special Service Officer.

She is Major Mildred E. Davenport of 522 Columbia Ave., Boston, on leave from the Massachusetts Fair Employment Practices Commission. Colonel Tow has warm words for Major Davenport's abilities. He said:

"She has been invaluable to us at this Post in the operation of dances and parties for the enlisted men of both races.

Unpleasant Assignment

"She has worked untiringly to provide equal opportunities for all personnel, and is deserving of special recognition for her understanding and impartial advice and supervision.

"She feels, as I do, that no unfairness to any man has resulted from this season's operation."

A veteran of overseas service whose yeoman work in Statewide recruiting for the WAC forces brought her publicity in publications including LIFE magazine, Major Davenport gives the impression that she isn't any too happy over her assignment to help guide the operation of a jim-corw activity.

Commander Commended

She stressed that she had not come to the Post to work with colored troops but to give dances for all units and supervise special services and library work.

Both Major Davenport and 1st Lt. Edward Condell, who is assistant billeting officer of the Post, testify that, as the two colored officers connected with the Camp's ground forces, they have found the administration "far-sighted and fair and square."

Colonel Tow, they agree is doing his utmost to follow to the letter the non-segregation policies of the Secretary of Defense.

"He operates on the principle that men who can die together can live together." Major Davenport affirms. "He feels that if you can qualify for a job you ought to get it without any other consideration."

Mass. Anti Bias Bill Passes House

BOSTON, Mass.—The Massachusetts House of Representatives, with a roll call vote of 117 to 82 thwarted a last-minute attempt to sabotage a bill outlawing discrimination by school and colleges because of race, creed or color of prospective students last week.

The bill now goes to the Senate for action.

'MUST BE BOLD ABOUT WINNING SMALL SKIRMISHES' WOMAN SAID AS SHE JOINED MIXED CLASS

38a
The Bystander, Des Moines, Iowa
Thur. 3-31-49

St. Louis, Mo.—Singer Sewing Machine Company got a surprise last Saturday when a mixed group of women signed up for one of the 8-week sewing classes.

When Mrs. Mary Clarke purchased a new machine and indicated what class she wished to attend to learn its use, a service offered all purchasers, she was told that as a colored person she could not attend the regular classes. After protest, as a concession the company said that she could bring her own friends to a class, up to six of them, all free. The concession was also made that the class would be held in the downtown store instead of the store on Delmar as previously.

On Saturday afternoon when a white woman signed up for the class, the instructor said, "This was not supposed to be a mixed class."

The white woman answered cheerfully, "Well, it will be, and we're making history, aren't we?" Everything went off pleasantly thereafter, and there will be no excuse from now on out for separate classes, according to Miss Katherine Shriver, who rallied "white" support as soon as she heard the problem. "We must be bold about winning these small skirmishes in the big battle for civil rights," she said. "The enemy does not overlook their importance, and we should not."

NAACP LAWYERS FIND THE ORDINANCE TO BE SOUND

The St. Louis Argus St. Louis, Mo.
Fri 2-18-49
St Louis Mo.
Friday 2-18-49

City Counselor's Office Contends Board Of Aldermen Cannot Enact A Law Prohibiting Segregation

The Board of Aldermen of St. Louis has the power to pass bill to prohibit segregation in public places in the city. Such is the findings of the committee appointed by President J. M. Pettigrew of the local NAACP branch to investigate the anti-segregation ordinance known as Bill No. 62 as to its legality and constitutionality.

The study of the bill was instituted after Mayor Alloys P. Kaufmann had stated that City Counselor George H. Stemmler had informed him that the Board of Aldermen do not have the authority to enact such legislation. Such a law, in the opinion of the City Counselor's office, must eminate from the State legislature.

In the findings of the NAACP lawyers the conclusion of "the City Counselor is not sound, in view of the fact that in many other instances the Board of Aldermen has not halted at the hedge of police power when it wanted to pass all sorts of prohibitive and corrective laws such as: Rat Control, Payment of Personal Property Taxes before being allowed to buy City Auto Licenses, Restaurant Inspection, Sales tax, etc.

Said the findings in part:

"Missouri's constitution is void of segregation, save only on education. Now, in view of that fact there is no constitutional prohibition as to civil rights, and in the light of the ruling of the Supreme Court of Missouri in the Gentry case, supra, to the effect that police power may be exercised by municipalities. We see no reason why the City of St. Louis, a first class city of more than 800,000 population may not by ordinance prohibit segregation in public places by making it a misdemeanor to exclude people on racial basis."

In view of the findings of the committee, signed by the chairman, Atty. S. E. Garner, it was indicated by the Rev. Pettigrew that he would ask the committee to seek a legal interpretation by the state's highest law authorities.

The anti-segregation bill, introduced by the three aldermen of the heavy Negro wards, Aldermen Sidney R. Redmond, Walter Lowe and Jasper C. Caston, has lain dormant in the Legislative committee since last May. It would prohibit segregation in theaters, eating places, hotels and so-forth in the city on the grounds of race, creed or color.

Statewide Drive Against Bill To Displace Negro Trainmen

St. Louis Argus
St Louis, Mo.

JEFFERSON CITY, Mo. — State Representatives John W. Green, William A. Cole and Walter V. Lay of St. Louis and J. McKinley Neal of Kansas City are actively lining up opposition to House Bills 145 and 216 which are designed to displace about 500 Negro Train Porters and Porter Brakemen from their jobs on the head end of passenger trains in Missouri.

T. D. McNeal, International Field Representative of the Brotherhood of Sleeping Car Porters, advised the press that during the election recess of the Legislature, Representative John Green of the 17th St. Louis District spent several days personally contacting members of the Legislature in Kansas City, Independence, Jefferson City and St. Louis, securing pledges to oppose passage of any legislation that would cause white men to take these jobs which Negro workers have held for more than 70 years. In the meantime, Representatives Lay, Cole and Neal were busy in their respective cities mobilizing sentiment in behalf of these colored rail workers.

4-15-49

At Kansas City, a group representing more than 40 labor, civic and religious organizations held a special meeting to hear M. P. Webster and T. D. McNeal of the porters' union and Representative Green of St. Louis analyze the pending legislation and explain the effect it would have. The meeting was inter-racial. Every organization represented, as well as the white members of Legislature who were present agreed to vigorously oppose these bills and any similar legislation. A Citizens Committee was organized to mobilize public sentiment in Kansas City. The chairman selected was Thomas Webster, Executive Secretary of the Urban League. This committee is circulating petitions and plans to send a delegation to Jefferson City for the Committee hearings on the Bill.

The Negro State Representatives report that they have succeeded in securing many pledges of support of their position from other Representatives, including two of the Representatives who originally sponsored these Bills. The white Representatives who changed their position stated that they were not aware that the Bills would cause Negroes to lose their jobs.

The Porters' organization announced that a large number of St. Louis organizations have sent letters to Representative Ray Adams of Reynolds County Commerce Committee Chairman, placing themselves on record in opposition to this discriminatory legislation. They urge that other groups, civic, religious, labor, etc do likewise at once.

4-4-15-49

Good Sense In St. Louis

The citizens of St. Louis, Mo. were told Monday that it would be to the best interest of all concerned if steps were taken to abolish all forms of racial segregation at all St. Louis Public recreational facilities. Such a step should be taken, said the city council on human relations, only after "careful planning and preparation."

Daily Worker

The council was constituted several weeks ago by Mayor Joseph Darst to study interracial conditions in the city following the injury of several persons during an interracial flareup at a local swimming pool, when it was opened to whites and Negroes alike.

Wed. 8-3-49

A noted Detroit leader, George Scherner, was called to St. Louis to study the problem. He blamed the tension which precipitated the outbreak on segregation in the Missouri schools.

Atlanta, Ga.

"Actually," he said, "the responsibility for the incident and the dilemma which St. Louis now faces lies at the door of many people, public officials, civic, religious, business and labor leaders, not because of what they did but what they failed to do."

There we have the painful conclusion that the cause of the racial disturbances at the public bathing beach was due to segregation laws in the schools of Missouri, and for that reason, all groups civic, social, business and educational, are to blame for it.

This bears out our contention that segregation as such is not nearly so cruel as are the results it has upon the minds of the white and Negro children alike. The separate but equal arrangement consists not merely in the physical or monetary loss, but more especially in the great injury done to the cultural and spiritual life. The Negro students pay in humiliation, thwarted ambition and frustrated lives. And the whites pay in lower living standards.

TURNER ROCKWELL:

Segregation--The Sensible Solution

In Valdosta Times

The question of racial segregation is one which many people in other parts of the country insist the South has handled and is now handling in the wrong way. However, several recent incidents in Washington and St. Louis offer strong proof that racial segregation as practiced in the South is the sensible solution of the problem of maintaining good relations between the races.

The other day in St. Louis riots developed when an ill-advised city official announced a nonsegregation policy in regard to swimming pools. When all city pools were thrown open to both whites and Negroes and both races attempted to use the pools at the same time, trouble developed. There were a number of near riots and several persons, white and colored, were injured.

The policy had to be changed to avoid more trouble and now there are separate pools for the two races and the trouble has quieted down. Constitution, 7-7-49

Recently in Washington, the Interior Department ordered that the six swimming pools under its jurisdiction be opened to all residents, white and colored alike. The result was that riots broke out between the races and Interior Department found it necessary to change its order. Columbia, S.C.

The suggestion has been made that the pools be placed under control of the District of Columbia Recreation Board and this body has declared that if this is done it will cancel the Interior Department's nonsegregation policy. Heretofore in Washington there have been separate pools for white and Negroes and this arrangement has worked satisfactorily.

Thus it would seem that in Washington and St. Louis the people are learning what the South has known all along. That is, that the principle of segregation is the wise one to adopt. The South is honest and aboveboard in its policy. Here we believe that there should be equal opportunities for both races in education, in employment and in voting and before the courts. We are striving to help our colored citizens to improve their lot in every way possible. However, we frankly feel that segregation is desirable and for the best interests of all.

The Negroes in the South recognize that the policy we have always followed is best for both whites and Negroes. They do not want to attend the same churches and schools, use the same swimming pools, mix together socially. They want equal opportunities in fields of endeavor and in education and they are entitled to just that.

Race relations in the South are good. Of course, there are some instances where injustices are done and we have occasional outbreaks of ill feeling. However, such instances are rare and not any more numerous than they are in other parts of the nation where there are large numbers of Negroes. The South knows how to handle its race question far better than outsiders who are always seeking to tell us what to do.

Closed Saint Louis Pools To Remain Closed

Ottawa, Kan. Daily World

ST. LOUIS — (NNPA) — Three municipal swimming pools which were closed after an outbreak of violence from racial prejudice will not be reopened during the current season, Mayor Joseph M. Darst said last Wednesday in a letter to Henry F. Chadeayne, chairman of the Council on Human Relations. Mem. 8-18-49

"It is my opinion," the Mayor wrote, "that the opening of swimming pools must be delayed until the present emotional state of mind is passed and we can approach this phase of the question in a spirit of common sense."

The pools were closed when disturbances occurred at the Fairgrounds pool on June 21 after the facilities were opened to colored people.

The Mayor asked the Council to initiate a permanent race relations program. He suggested employment of a full-time expert to study specific problems and develop an educational program on race relations.

While there has been an improvement in race relations in St. Louis in the last few years, the Mayor said, the city is confronted with complicated, intermingled questions of law and custom. Segregation in publicly-supported facilities violates the fundamental concepts of the Constitution, he added, but the subject is not one on which reason alone can be the guide.

Racial Clash Follows End Of Segregation For St. Louis Pool

The Jews Birmingham, Ala. Wed. 6-22-49

ST. LOUIS, June 22 — (AP) — A racial clash between Negroes and whites flared in a St. Louis park yesterday over a non-segregation order.

Eleven persons were injured, two seriously.

Police redoubled their watch today to prevent a new outbreak.

The series of fights started over whites and Negroes using the same swimming facilities—a city owned pool in a North St. Louis park.

The Negroes were swimming in the pool under a new rule that opened the gates to them.

* * *

AT THE PEAK of the outbreak, an estimated crowd of between 4,000 and 5,000 was at the scene.

It has been the city's policy to segregate races in playgrounds and pools. The city has two outdoor and four indoor pools for whites and three indoor pools for Negroes.

After the first report of violence, Mayor Joseph M. Darst rescinded the order allowing Negroes and whites to swim together.

About 250 white boys and 50 Negro youths went into the pool at the opening time in Fairground Park.

After about 45 minutes several Negroes left the pool. Police said white boys, armed with clubs and knives, attacked the Negroes. One Negro was cut on the head. Police escorted the rest from the park and told them to go home. Wed. 6-22-49

TOWARD EVENING large groups of teen-agers and adults gathered around the park. Several bicycles, cars and trucks belonging to Negroes were damaged.

Ten persons suffered injuries in the second outbreak. More than 400 police were rushed to the park to break up the scattered fights.

The park is in a white neighborhood.

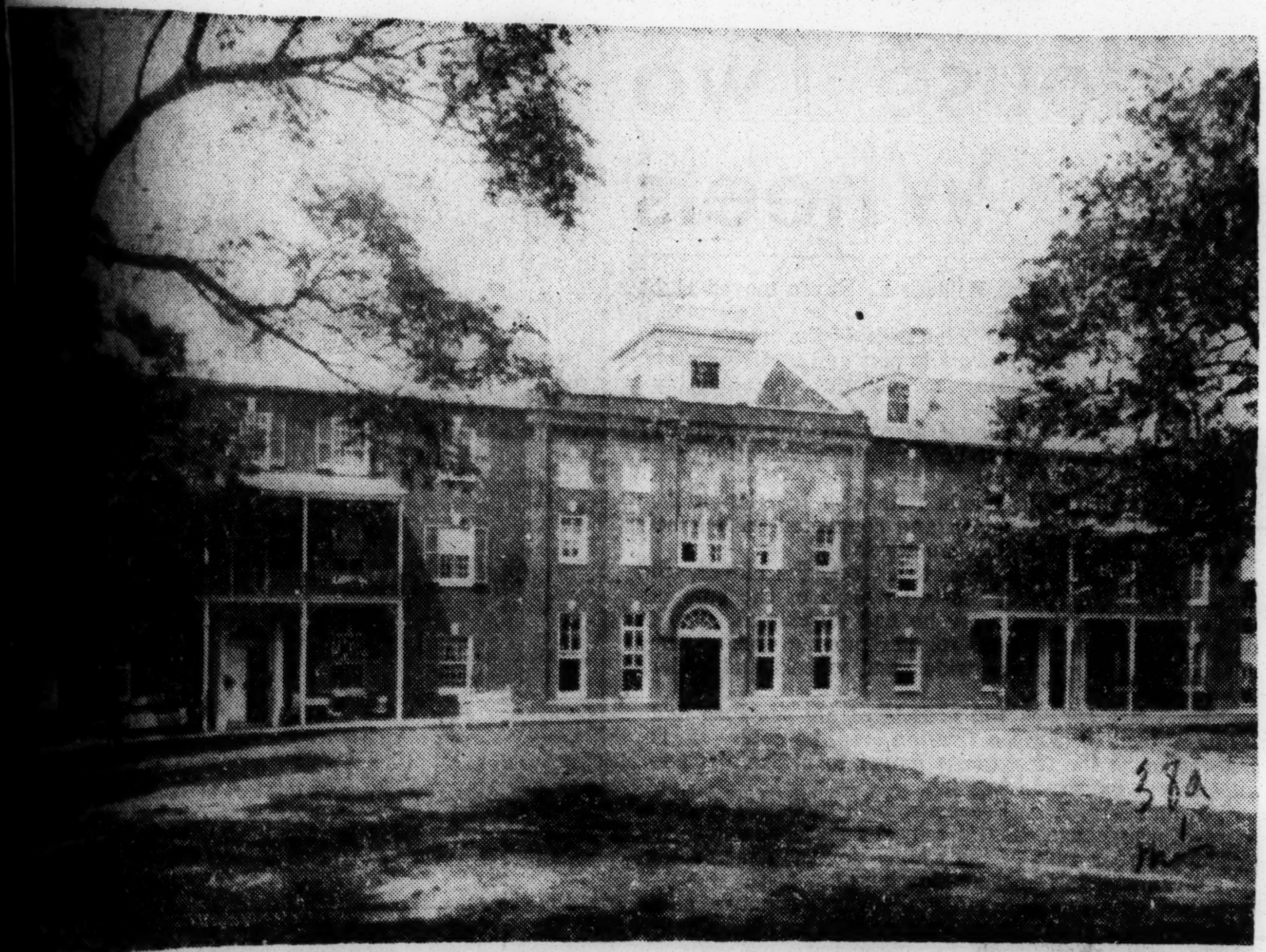
By 11 p.m. police reported the crowd was dispersing and under control.

The order to open all city pools to Negroes was issued Monday by John J. O'Toole, director of public welfare. He said the city could not prevent anyone from lawfully using a swimming pool and added that Negroes are citizens and taxpayers.

* * *

MAYOR DARST SAID he rescinded the order "in the interest of the general public" and in line with the "time-honored policy" of separate facilities for Negroes and whites.

The mayor added, "If the Negro pools prove inadequate, it is my purpose to expand them."



Wouldn't Sell Birthright—

Little Jefferson Military Academy at Washington, Miss. (population 500), although the alma mater of Confederate President Jefferson Davis, absolutely refused to sell its birthright to Judge George W. Armstrong Sr. for $50,000,000, in return for teaching "white supremacy." It still follows Dixie tradition, however, by keeping its doors closed to Negro students. These are campus scenes.—INP.

$50,000,000! 'Hate' Gift Rejected by School

(special to The Courier)

WASHINGTON, Miss. — Here in this little country town of 500 this week after its brief sojourn in the national spotlight when Judge George W. Armstrong Sr. lost his fight to create—for $50,000,000—a "hate factory" out of little Jefferson Military College, a white prep school accredited as a high school by the State Board of Education.

The judge—he once was a county judge in Texas—offered the little school the huge sum of $50,000,000 as an endowment on condition that it would teach "white supremacy" and bar from its enrollment and faculty any and all persons of African or Asiatic blood. He would also have "stacked" the trustee board of the school to insure approval of his proposed policy for the institution.

TRUSTEES ADAMANT

But — in spite of the school's desperate need for funds — the twelve-member board of trustees became adamant in refusing to accept the offer, after a storm of protest broke over the entire nation when the news was bared in an announcement by Allen Jack Armstrong, business manager of the school and a son of the multi-millionaire oilman and utilities magnate.

"The policies announced by Judge Armstrong are not, never have been and never will be the policies of Jefferson Military College so long as any member of the present board of trustees is in any way connected with the institution," a spokesman for the trustees said after the announcement by the younger Armstrong that the board had accepted the oilman's huge offer.

After that, the trustees went even further and refused to accept any type of financial assistance from the judge, an admitted advocate of white supremacy and a "states' righter."

WOULD CLOSE IT FIRST

"We don't need money that badly. We would close the school first," declared Stanley N. Murphy an official of the trustee board. The school already follows the usual Southern policy of racial education and admits only white students. Its enrollment is between sixty and seventy-five students. It was established in 1802.

Armstrong, who is 84, had demanded that the charter of the institution be changed to conform with the provisions in his offer. After rejection of his first offer, the aged oilman made another offer to pay off a $5,000 note the school was facing This offer was rejected. He then made still another offer to pay off a $500 note. This, too, was turned down.

"MISUNDERSTANDING"

Closing out the affair, the trustee board issued a statement in which it said: "It is apparent that there was a complete misunderstanding between Judge George W. Armstrong and the entire board of trustees of the Jefferson Military College."

Judge Armstrong owns three producing oil wells and extensive utilities holdings in Mississippi and Texas. His son, Allen Jack Armstrong, said his father had intended to give away "every cent he owned" to other schools under similar conditions, had the Jefferson Military College venture succeeded.

And thus came to an end another Dixie effort to further the cause of "white supremacy."

JUDGE GEORGE ARMSTRONG
. . . wanted "hate factory"

JACK TARVER

Atlanta Constitution
November (3) 1949

Suggests a Faculty for WSU

A Mississippi citizen offers fifty million dollars to a college to teach "the superiority of the Anglo-Saxon race."

What's it going to be called . . . White Supremacy U.?

In academic processions, one supposes, its board will wear, not caps and gowns, but robes and hoods.

Incidentally, I know where they can get an excellent man to head the Political Science Department if they're willing to pay the cost of a special election to fill the vacancy in Georgia's governorship.

In fact, they might well recruit an entire faculty in this State if they can just get Alex Bod[illegible] to teach Journalism and Roy Harris as Dean of the Law School.

Of course, it's going to be a little difficult finding someone to lecture on military tactics. Most of the officers who'd meet the requirements were on the losing side in the last war.

It's a shame in a way that the choice of faculty members is going to be so restricted. For the kind of money they can pay an Athletic Director they could probably get Joe Louis or Jackie Robinson.

Oil Magnet Gives $50 Million To Tiny Mississippi Academy

WASHINGTON, Miss., Oct. 26—(AP)—A school here, asked by its wealthy benefactor to "Teach . . . the superiority of the Anglo-Saxon and Latin American races," is only a pilot plant in a huge educational plan.

Jack Armstrong, son of the George W. Armstrong who proposes endowing Jefferson Military College with mineral rights and land worth $50,000,000 said "Jefferson will be a sort of pilot plan."

The elder Armstrong at 84 is one of Mississippi's more colorful characters. He is a "Jeffersonian Democrat and States' Righter." He parlayed a Texas oil field banking venture into a huge fortune. He has vast holdings in Mississippi, Oklahoma and Texas oil lands and has steel and utilites interests in Fort Worth, Texas.

He has proposed making the endowment to the tiny school (enrollment 47) when two changes to the school's character are made. The changes to which the trustees have agreed, would:

1. Ban Negroes, Asiatics and non-Christians from the student body or faculty.

2. Allow the Judge Armstrong Foundation to name a majority of the trustees.

JACK ARMSTRONG said his father had requested, but not as a change in the charter, that the school "Teach and disseminate through every medium possible true principles of Jeffersonian Democracy and the constitution, Christianity and the superiority of the Anglo-Saxon and Latin-American races."

He and other trustees denied under the new charter the 147-year-old prep school would teach white supremacy. And, Armstrong said, the charter changes do not constitute new policy.

"We are simply rededicating the school on the fundamental principles upon which it was founded 150 years ago," he said.

U. S. District Attorney Joseph Brown, of Natchez, Miss., who is to be a member of the school's new board, said the college "will be open to all white Christians."

* * *

"THE ONLY BAN WILL be on Negroes and Asiatics," he said. "If a Jew embraces the Christian faith he can attend. You'll find our requirements far less restrictive than at Notre Dame, Texas Christian University, Southern Methodist or any other denominational school."

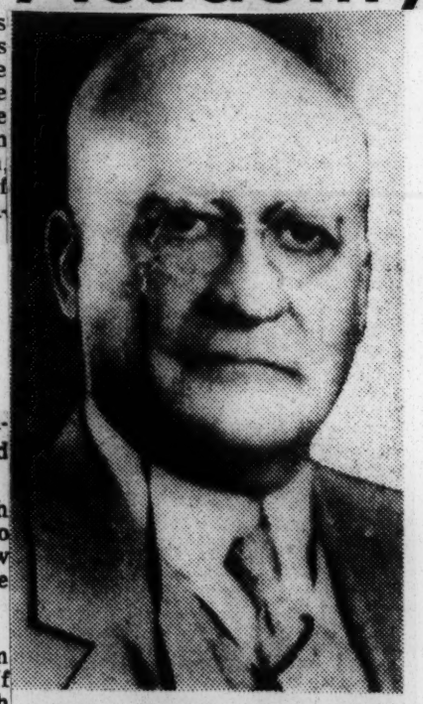
Jefferson was originally established as a college in 1802 and named for Thomas Jefferson, the President of the United States.

The younger Armstrong said "an officer of multiple-star rank" would be named within two weeks as the new superintendent of the school.

"Only General Eisenhower, president of Columbia University, will outrank him among educators," he said.

The elder Armstrong is the son of an itinerant Methodist preacher who fought with the Confederacy in the Civil War. His son calls him "a self-made man."

He was born in Jesper County, Texas, and "taught school so he could go to school." He received a law degree at the University of Texas when he was 20. After that came his law practice, and the banking venture in Southern Texas oil fields.



GIVES MONEY—George W. Armstrong has given $50,000,000 to a small Mississippi school. The oil tycoon lives at Natchez, Miss. (AP wirephoto.)

In Mississippi

Teaching of White Supremacy Worth $50 Million to School

Post Washington D.C.

Natchez, Miss., Oct. 25 (U.P.)—A rich planter and oilman gave a military school a grant worth 50 million dollars today on its promise to teach white supremacy and States' Rights.

Jefferson Military College, where Jefferson Davis studied, accepted the conditions laid down by Judge George Armstrong, Mississippi landowner.

10-26-49

Armstrong, a former judge, lives the life of a Southern plantation baron at his Woodstock mansion, 12 miles south of Natchez.

An ordent States' Righter who supported that ticket in the 1948 presidential election, he stipulated that the school

"Washington

"teach and disseminate through every medium possible the true principles of Jeffersonian democracy and the Constitution, Christianity and the superiority of the Anglo-Saxon and Latin-American races."

He emphasized that by constitutional government he meant "the Rights of the States."

Another condition of Armstrong's endowment made its acceptance certain. It was the reduction of the military school's board of trustees from 12 to five members, three to be named by him and the other two by the retiring trustees.

The donor named his son, A. J. Armstrong, as one trustee and the younger Armstrong announced acceptance of the endowment.

The gift includes five-sixths of Judge Armstrong's mineral rights on 42,000 acres in Adams, Jefferson and Wilkinson Counties. Some 26,000 other acres were conveyed outright to the school. Oil experts estimated the properties and rights eventually will yield more than 50 million dollars.

The school also agreed to change its charter to exclude as instructors or employes Communists or persons with Communist connections and "any person of African or Asiatic origin."

Jefferson College is situated at Washington, five miles east of here, a town of 500 which isn't on most maps but at one time was the capital of Mississippi territory.

Formerly a college chartered in 1802. The school now is strictly a preparatory academy. Campus landmarks are two giant oaks under which Aaron Burr was tried for his ill-starred attempt to set up a new nation in the South.

Prominent alumni include John James Audubon, the naturalist.

The college's new board of trustees is made up of the younger Armstrong, retired Army Gen. George Van Horn Mosely, United States Attorney Joseph E. Brown (all named by Armstrong), G. H. Brandon and Stanley H. Murphy, both of Natchez (named by the outgoing board).

Millionaire Either Ignorant or Liar--Methodist Bishop

George Armstrong Attacked by Church Leader

By KEN GORMIN

One of the nation's leading churchmen Tuesday said millionaire George W. Armstrong is "either ignorant or deliberately falsifies."

Armstrong is the 84-year-old Mississippi land baron and Texas oil and gas operator who offered a potential $50,000,000 endowment to Jefferson Military college at Natchez, Miss.

He withdrew the offer because the college refused to agree to his conditions that it teach white supremacy, keep out Jews or Negroes forever, and permit him to control the board of directors.

In a statement about the withdrawal of the offer, Armstrong mentioned other matters and said that the Federal Council of Churches is a Communist organization.

In New Orleans on church business, Methodist Bishop G. Bromley Oxnam, New York, one of the six presidents of the World Council of Churches, said:

"Any man who says the Federal Council is Communist is either ignorant or deliberately falsifies. The Federal Council pronouncements, which constitute a severe condemnation of communism, are of record. However, the Federal Council knows that you don't stop communism by becoming Fascist."

He said that the council "also knows that it is the just society that is invulnerable and, therefore, gives its major energies to the building of a just and brotherly society."

Armstrong said he refused to give money to Texas Wesleyan college at Fort Worth, Tex., "on the grounds that it and SMU (Southern Methodist university) are Methodist schools and that SMU sponsors a lecture course subject to the approval of the Dallas Jewish synagogue; and on that further ground that the United Methodist church is a member of the Communist Federal Council of Churches."

Bishop Oxnam said, "It might be interesting to ask for a list of Mr. Armstrong's previous gifts since Americans are opposed to totalitarianism of the left or the right."

He commended Jefferson Military college for declining Armstrong's endowment and said, "Whenever a school discriminates it ceases to be Christian."

He said:

"No Christian or other school can remain free or, in fact, be American if it submits to the dictatorship of a man with money. American Christians believe in the free man in a free society, free to search for the truth that frees.

"No Communist could ask for anything better than to have a community divided on the basis of race or creed or class."

Bishop Oxnam said:

"Mr. Armstrong might be interested in the fact that the chairman of the finance committee (of the Federal Council of Churches) is Mr. Harper Sibley, former president of the United States Chamber of Commerce, that Mr. John Foster Dulles has headed its committee on a just and durable peace; that Mr. John D. Rockefeller Jr. has just given $100,000 to make possible extended studies in relation of Christianity to the economic order.

"These gentlemen—who are not naive—will be surprised to learn that they are leaders in a Communist organization. The truth is that the federal council is the churches themselves in co-operation at the national level."

Bishop Oxnam served on the civilian advisory committee of the Navy and he said, "I find it privilege to commend Adm. Merrill (Vice-Adm. Aaron S. "Tip" Merrill, USN, ret.) "for taking over at the Natchez school to raise funds to keep it open." Merrill is a native of Natchez.

The bishop, who at 44 became Methodism's youngest to attain that position, pointed out that ironically his church is now making a drive for $50,000,000, the same amount that Armstrong had offered the school.

But Bishop Oxnam said he is not interested in Armstrong's millions:

"We would rather have our $50,000,000 come in small gifts from individuals when the gift is free, and for Christian purposes than from a single person whose terms would violate our faith."

The erudite bishop, educated at Harvard, Massachusetts Institute of Technology, Boston university, the University of Southern California, and in schools in China, Japan, India and England, was in the city to make three speeches.

This is the last of 78 cities holding mass rallies of Methodists. Monday morning he attended a breakfast given by the New Orleans Council of Churches at the St. Charles hotel.

Bishop Oxnam, resident bishop of New York, addressed thousands of Negroes of the Advance for Christ and His Church rally of the Central Jurisdiction at the First Street Methodist church.

He discussed "The Church and Disorder of Society" before adult leaders and teachers who came here from 800 Negro Methodist churches in Louisiana and Mississippi. Bishop Robert N. Brooks presided.

Bishop Oxnam explained that his church has launched a four-year program to give its people a better understanding of their faith. He said one phase of the movement is to raise the $50,000,000 to be used for relief of war-devastated areas and for rebuilding of Methodist churches in various sections of the world.

He said that "the very restlessness of the world" creates a situation that bodes well for the advance of Christianity "if we take advantage of it. I think the doors are wide open."

Communism can be conquered by a society that can produce a spirit of community, he said, adding that Christian leaders should accept that challenge.

He concluded, "We can't demolish an ideology with an atomic bomb."

A former college president, Bishop Oxnam is internationally known as a lecturer, educator and student.

He was scheduled to speak at Dillard university Tuesday night before leaving for New York by airplane

Natchez and New York

COLUMBIA University is in liberal New York while Jefferson Military College is in Natchez, a place not celebrated for liberality.

A few weeks ago the Natchez college which is small and in debt refused a grant from Judge George W. Armstrong estimated to be worth $50,000,000, if it would dedicate itself to teaching white supremacy.

Last week the Columbia University Chapter of the NAACP called the university officials' attention to the Roberts Fellowship which gives $750 for traveling expenses and $850 for graduate study with the stipulation that the fellowships be given only to members of the Caucasian race.

Columbia University is rolling in wealth, but Professor Grayson L. Kirk, the provost, replied that:

"While the university naturally prefers to have endowed scholarships with as few limitations as possible, we do not feel we are justified in depriving some students of the benefits of restricted grants simply because they are not available to every one."

In brief, "liberal" Columbia University is not going to give up this piddling fellowship just because it is earmarked for whites only.

It is not because Columbia cannot afford to give it up because Professor Kirk admits that "large grants are made for scholarship and fellowship purposes annually from the general revenues of the university. These funds are supplemented by special gifts and bequests from private donors."

This Northern university has plenty of available funds and does not need the Roberts grant.

The Southern college down in Natchez is almost broke and yet refuses $50,000,000 rather than lay itself open to the charge of racial bigotry.

Here, indeed, is an amazing paradox.

It would be instructive to learn what President Eisenhower, also a reputed liberal, has to say about this business.

Jefferson Military College (Natchez, Miss).

White Christianity Inches Forward

Truly the South is wrestling with its sins and making ress when we discover Jefferson Military college, at hez, Mississippi, turning its back upon fifty million dol- when to accept same this educational institution would to enter into a pact not to impart wisdom and know within its academic walls to Africans and Asiatics.

It appears that an 84-year-old oil man, still clinging to prejudiced and biased philosophy of the old South, has in t weeks made this tempting offer to the trustees of the tution, and that this group pondered long over the revo- ary change that was to be written into the charter of school, but to the credit side of the South's conscience, in developing field of race relations, the trustees have d their backs on filthy lucre.

Of course, Jefferson Military academy has never had o students within its walls, but this was the result of m. No such provision was written into its charter, and e quite sure if this offer had been made a half century as was done with respect to the charter of a much r institution of learning in Philadelphia, the grant would been accepted upon the terms laid down in the proposed million dollar bequest. But times have changed. The exemplified in the writings of Lillian Smith and others r wisdom and thinking, is beginning to dominate the of the Southland as expressed in this decision of the son trustees. Unquestionably this is an outstanding ry for right thinking and brotherhood.

In the control centers of America the discovery is being that the attitude of America towards black citizens is eak link in our social order. In our efforts to assume leadership it has suddenly dawned upon us that four- of the world is dark and that especially in Asia, where un of self determination is rapidly rising, there is com- unwillingness to accept American leadership. The cannot comprehend Nordic thinking that seeks to jim dark people in the spiritual world. It is something ly foreign to the religious life of the East where all e are accepted in spiritual fellowship on a level of equali- The Asian mind has no concept of a jim crow heaven. ler Nehur touched upon this fault in our social mores he delivered a recent address at Columbia University. through the deposed Chiang kai Shek we for several sought to court the good will of yellow people. But the e during all this period were keeping in mind the istencies of Extra-Territorality on their homeland e exclusion acts enacted into law in continental United We could not insult the individual dignity of the person and at the same time successfully court the world with dollars. Some idea of how the Chinese reacts when it observes segregation functioning in ea, can be gleaned from a statement made by a Chinese t who recently came to this country and had been ob- segregation of blacks in North Carolina. While this did not have as complete command of English as of us to the manor born, he at the same time, in his ful way, gives vent to enough of his feeling for you to fair notion of what the Asian mind thinks of white It follows.

"When I just came to Raleigh about five months ago I had a strange feeling. It was and still is that the Negroes are not allowed to sit at the front part of the bus. Sometimes the seats at the back are very much crowded while those at the front are not. But they dare not to come and sit at the front. Why? The first American that I met when I landed at San Francisco's airport was a young sergeant. He was very friendly and talkative: He told me that this was a free country, that all men were treated equally. He told me many things that I was really interested in and felt delighted to know. But, when I came to Raleigh I have had this strange feeling. Still other examples: the colored are not allowed to attend the show in the same theatres with the whites, they are not allowed to study in the same school and even they are not allowed to attend the Sunday chapel service in the same church. Especially the latter is against the spirit of Christians and the will of God. It is said in the Bible that thou shalt love thy neighbor as thyself. There is no other commandment greater than this. But the white and the colored have their own different churches. Why? In order to achieve a really great nation with real freedom, these laws or limitations should be abolished."

We recall crossing the Mexican border at El Paso several years ago. The guide we employed took us into a Spanish church. The most singular and striking observation we made as soon as we entered this church was that white and black alike were walking in, unafraid, and kneeling together at the altar. Just a few blocks northward, across the Rio Grande, this sort of racial intermingling in spiritual worship is not tolerated.

It appears that this oil-baron, whose god is the dollar, wanted Jefferson college to make a difference between white Christians and black Christians, totally oblivious to the fact that Christians are those who believe in truth as taught by the Lowly Nazarene. Apparently this bloated, oil-soaked bigot has never heard that Christ said "Thou shalt love thy neighbor as thyself."

Things Look Rosier—

Little Jefferson College Starts Drive For Funds

NATCHEZ, Miss., Nov. 1—(AP)—Rich in tradition, but poor financially, Jefferson Military College today began a fund-raising campaign directed by former V-12 Adm. Aaron Stanton Merrill.

The 147-year-old prep school had expected to solve its desperate financial situation with a $50,000,000 endowment. But the board of trustees turned down the offer last week when it learned Millionaire Donor George Armstrong wanted the college to advocate white supremacy.

Merrill, famed commander of Task Force 39 in the Pacific during World War II, agreed to become superintendent of the college if it reaches financial security. Meanwhile, he became chairman of the school's endowment committee and public relations officer during the campaign.

A. J. Armstrong, son of the oil and steel millionaire, resigned last night as trustee and business manager of the school. Gerard Brandon, Jr., local attorney and son of the board president, was named to succeed him as trustee.

The board and Merrill felt that enough contributions would come in to save the school which Jefferson Davis, first president of the Confederacy, attended as a student. James Audubon, the naturalist, once taught there.

Already the school had received donations ranging from the $5,000 from Nathan Klein, Houston, Tex., ice cream manufacturer, down to $100 from the Argo Lodge 413 of B'nai B'rith of Washington, D. C.

The Chicago Negro Chamber of Commerce also sent $100 as "a token of our interest in your refusal to sell yourselves and your school for $50,000,000."

College Hailed for Refusing $50 Million Gift

NATCHEZ, Miss. — (AP) — A spokesman for Jefferson Military College said the National Conference of Christians and Jews had congratulated the school trustees' refusal of a $50,000,000 "racial superiority" endowment.

He quoted a telegram from the organization saying, in part:

"You have the profound gratitude of the people of our country for refusing to prostitute your college and make it a propaganda center . . . Thank God American colleges and universities are not for sale."

* * *

THE SPOKESMAN also said that Nathan J. Klein, a Houston businessman, had offered to donate $5,000 to the school for its stand on "freedom of education."

He said that Joe Pasternack, merchant and bank official of Ferriday, La., had sent a small donation, with offers to help raise more.

The spokesman said the $5,000 would be accepted to help pay operating expenses for the 1949-50 school year. About 50 students are registered.

NEGRO CC SENDS $100 TO NATCHEZ COLLEGE

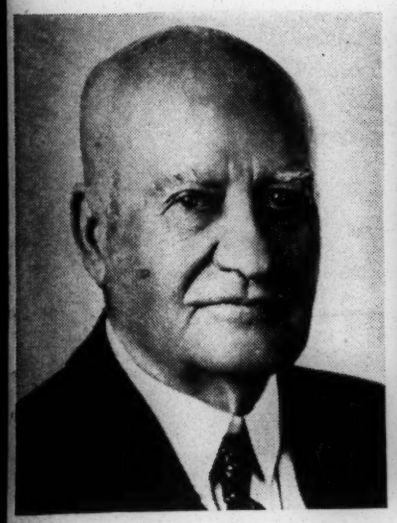
(The Associated Press)

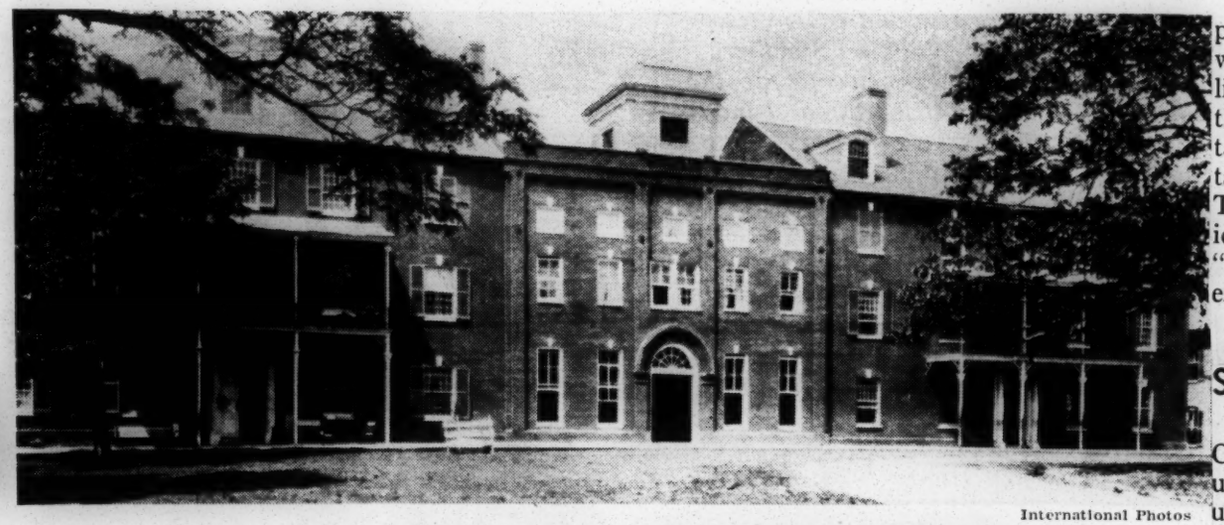
Chicago, Nov. 1 — The Chicago Negro Chamber of Commerce has sent $100 to Jefferson Military college.

The college, at Natchez, Miss., last week turned down an endowment of $50,000,000 offered by Texas millionaire George Armstrong.

In sending the $100, the Chicago group said:

"The Chicago Negro Chamber of Commerce gives you this $100 as a token of our interest in your refusal to sell yourselves and your school for $50,000,000. This token gift has no strings tied to it except that you try faithfully to follow Christian precepts in the operation of the school."





International Photos

Armstrong and Jefferson Military College: Bigotry and big money caused a hullabaloo.

EDUCATION

Millions for Racism

Named after the then President of the United States, Jefferson Military College was founded in 1802 to train soldiers for duty on the Southwest Border. In its 147-year subsequent history the little military prep school at Washington (near Natchez), Miss., has never created such a furor as it whipped up last week.

It started on Tuesday when it was announced that the school had accepted a grant estimated eventually to exceed $50,000,000 from former Judge George W. Armstrong of Texas on the 84-year-old oilman's terms: It would henceforth teach "the true principles of Jeffersonian democracy and the Constitution, Christianity, and the superiority of the Anglo-Saxon and Latin American races."

At the judge's bidding it would reduce its trustees from twelve to five, three of whom Armstrong would appoint. (For news of a school assisted by another Armstrong, see below.) He named his son Allen, United States Attorney Joseph E. Brown, and retired Maj. Gen. George Van Horn Moseley, who in 1939 told the Dies committee he wanted control of the United States to "revert to truly loyal Christian Americans."

Just as the committee then rejected Moseley's statements as anti-Semitic, newspapers and organizations now hurled that and "white supremacy" charges at Armstrong and Jefferson Military.

At first Trustee Brown expressed surprise. "The only ban," he explained, "will be on Negroes and . . . Asiatics. If a Jew embraces the Christian faith, he can attend just as well as any other Christian."

Then on Thursday he and two other trustees issued a "clarifying" statement: The school had always been "operated exclusively for students of the white race" and "any other policy is unthinkable." But "the superiority of one race over another has never been taught in Jefferson College. No such study is anticipated."

Thereupon on Friday Judge Armstrong withdrew his offer of endowment and said he would give his money instead to the Judge Armstrong Foundation.

"We will probably have to close after this year," wearily remarked a Jefferson trustee; "we expect a big deficit." But whether the Armstrong donation would have saved the college was open to question. Similarly hailed as a lavish endowment, the fund that in 1945 started the Judge Armstrong Foundation two years later was found by the House Un-American Activities Committee to have yielded the foundation only $12,000. Of these funds, according to the committee, $10,000 went toward anti-Semitic pamphlets and $200 to Gerald L. K. Smith.

EDUCATION

Example in Natchez

At Jefferson Military College near Natchez, Miss., the money was still rolling in. It came, largely in five- and ten-dollar bills, from people all over the U.S. who wrote to applaud the 147-year-old prep school for turning down Oilman George W. Armstrong's proposed endowment with a crackpot list of "white supremacy" strings attached (TIME, Nov. 7). Last week, with $9,314 in the till from well-wishers, Jefferson had enlisted a special fund-raiser. He was Vice Admiral Aaron Stanton ("Tip") Merrill, a Pacific task force commander in World War II and onetime chief of Navy public relations.

U.S. Navy

VICE ADMIRAL MERRILL
Also diplomatic sciences.

Merrill, a Mississippian who moved back home to Natchez on his retirement in 1947, announced that if he could raise enough money to keep the school from foundering and increase its enrollment, he would be glad to take the job of skipper. Moreover, he knew just what he wanted the Jefferson of the future to be like: a school where students would lay the basis of interservice understanding by taking combined courses in "naval, military, air and diplomatic sciences." Said Tip Merrill, once an outspoken foe of service unification (TIME, April 22, 1946): "Jefferson Military College could set the example for the nation to follow."

EDUCATION

Storm in Mississippi

On the campus of Jefferson Military College near Natchez, Miss. stands a monument inscribed: "Aaron Burr tried . . . under these oaks, 1807; Andrew Jackson camped here, 1812-1815; Jefferson Davis a student here, 1815; John James Audubon taught here, 1822; Lafayette reviewed cadets, 1825." But in spite of its historic past, Jefferson Military College had fallen on hard times. Classroom walls were peeling; desks were worn beyond repair. There were hardly enough students (48) in its high-school classes to keep the place going. Then, a few weeks ago, along came Judge George W. Armstrong.*

He was a distinguished-looking man of 84 who had once (1897) been a Texas county judge. The son of a Methodist minister, he was inordinately proud of his Scotch-Irish background and of the fact that his ancestors had fought in every North American war since the Revolution. At one time or another, he had run a chain of banks in Texas, a gas company, a cotton exporting firm, a flour mill, a steel company, a ranch and 38 Mississippi plantations on which he had found oil.

Tawdry Strings. Over the years moon-faced Judge Armstrong began to interest himself in other matters besides making money. He set up the Judge Armstrong Foundation and began writing pamphlets. One of them (*Zionist Wall Street*) was a bitter, loudmouthed attempt to prove that "Zionist Jews caused both world wars."

The judge also wanted to repeal the 14th and 15th Amendments "thereby limiting the franchise to the nation's white Americans."

But the foundation was not enough for the judge. When he heard that Jefferson Military College was just about destitute, he offered to turn over the income of his oil-spouting lands. It was a handsome gift —somewhere between $5,000,000 and $50 million—but it was tied with tawdry strings. To qualify for it, the school was to pledge itself to exclude "any person of African or Asiatic origin." It must promise

to teach "through every medium possible . . . Christianity and the superiority of the Anglo-Saxon and Latin American races." Jewish students would be banned, added an Armstrong spokesman, unless converted to Christianity. To nail it all down, old Judge Armstrong demanded a new five-man board of trustees, provided that he would name three of them himself. Among his candidates: old (75) George Van Horn Moseley, onetime major general in the U.S. Army, who had once trumpeted that "the finest type of Americanism can breed under [Fascist and Nazi] protection."

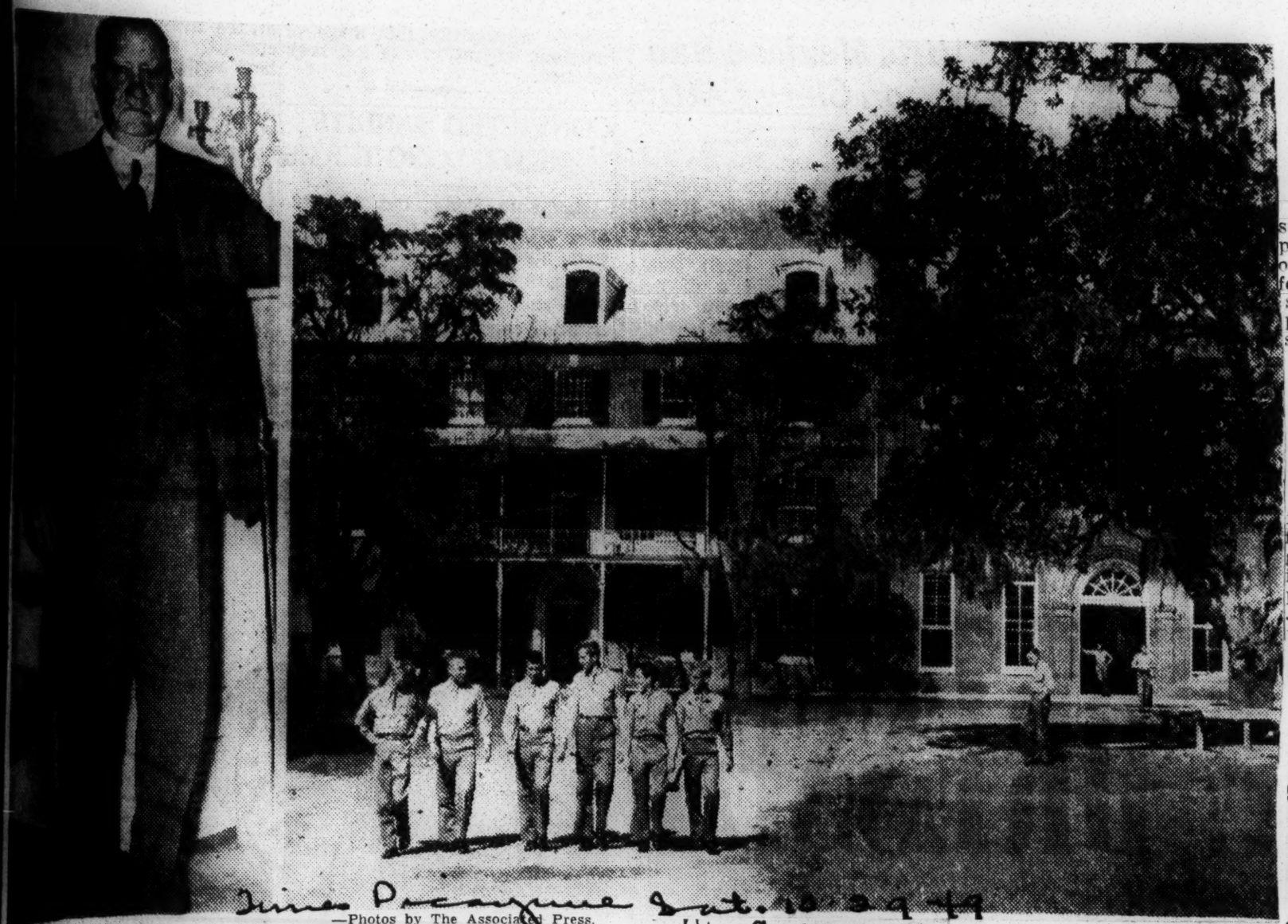
"Stand on Freedom." Last week, when it appeared that college authorities would accept the Armstrong gift, tiny Jefferson became big news for the first time since Lafayette. The Anti-Defamation League of B'nai B'rith denounced the gift as "probably the most vicious use of wealth that our generation has seen." The Non-Sectarian Anti-Nazi League petitioned Secretary of Defense Louis Johnson to remove the school from the list of preparatory schools whose curriculums are acceptable to West Point.

In the midst of the storm, Jefferson refused the judge's conditions. Although "the college has even been maintained and operated exclusively for students of the white race," it would not accept the endowment, said its trustees, if it had to teach the superiority of Anglo-Saxon and Latin American races or bar Jewish students. After that the judge withdrew his offer. Jefferson seemed back where he found it. "The school is operating at a loss," said one of the trustees. "We plan to close . . . at the end of the year, under present conditions."

Actually the prospect was not so gloomy as all that. This week a Houston, Texas manufacturer sent Jefferson $5,000 for its "stand on freedom of education." Other gifts and pledges were arriving, all marked "no strings attached."

Associated Press

JUDGE ARMSTRONG
Strings on a gift.



—Photos by The Associated Press.

LAND AND MINERAL HOLDINGS held to have a potential value of $50,000,000 were offered to Jefferson Military college at Washington, Miss., near Natchez by George W. Armstrong (left), 84. However, the offer provides the school should change its 147-year-old charter to admit only white Christians as students and faculty members. At right, cadets walk down the road in front of the main building at the college. The school's trustees announced, however, that they would not countenance any charter changes barring persons of any denomination or requiring teaching of racial superiority.

Jefferson College Trustee Elaborates on Statement

Murphy Says Won't Teach on Religious Bias

(The Associated Press)

Natchez, Miss., Oct. 28—A Jefferson Military college trustee declared Friday night, "There is not enough money in the world to make us go through with the philosophy of education based on religious bias or anti-Semitic feeling."

"We will not consent to any alteration whatever of Jefferson Military college's 147-year-old charter by an amendment which would uphold such a philosophy.

"There are some things that money cannot buy."

The statement was made by Stanley N. Murphy, chairman of the board's executive committee.

George W. Armstrong, an 84-year-old oil man, offered the college an endowment of potential $50,000,000 value.

He placed two conditions upon the acceptance by the college.

1. A charter change, providing that the school would be primarily for white Christians. No African or Asiatic or person of African or Asiatic decent would be admitted as a student or in the faculty.

2. A reduction in the board of trustees from 12 to five of which the Judge Armstrong Foundation would name three.

The college accepted the conditions Monday. The board of trustees at the same time in an unannounced action declined a request that the school "teach the superiority of the Anglo-Saxon and Latin-American races."

Allen J. Armstrong, son of the donor and business manager of the school, said Monday night that the school would "teach the superiority of the Anglo-Saxon and Latin American races."

This, however, was not a condition to acceptance of the endowment stipulated by George W. Armstrong, the donor. He had expressed it as a wish.

Thursday night, after the Anti-Nazi League and others had expressed criticism of the terms of the endowment, the trustees issued a statement to clarify their position.

The statement said the college had always been operated exclusively for members of the white race and would continue on that basis.

"Any other policy would be unthinkable," it said.

But, it added:

"The superiority of one race over another has never been taught in Jefferson college. No such course of study is anticipated.

"The college is non-denominational and no person shall be denied admission because of not being a Christian. The college has heretofore been conducted primarily for white Christians and this policy will be continued."

Murphy said that prior to issuance of this statement he had polled all members of the board of trustees and it expressed their feeling. Friday's statement, he said, was issued by himself as expansion on Thursday night's statement.

In Washington Friday President Truman was urged by Rep. Klein (D-N. Y.) to remove Jefferson college from the list of schools accredited by the West Point military and Annapolis naval academies.

Klein, in a telegram to the President, said the college "has suffered the tragic misfortune of a gift of $50,000,000 conditioned on its turning its back to the noble principles of the same Thomas Jefferson for whom the school was named . . ."

RACE FIGHT PUSHED BY ARMSTRONG SR.

Southern Capitalist, 84, Says He Will Make Money Talk to Stop School Intermingling

NATCHEZ, Miss., Nov. 12 (AP)—George W. Armstrong Sr. is determined to make his money talk against "racial mongrelization."

That is a term the 84-year-old capitalist uses often in voicing opposition to intermingling of Jews, Gentiles and Negroes in the same schools.

Mr. Armstrong, who says he is not sure how much money he has, splashed into headlines when money-poor Jefferson Military College spurned his $50,000,000 endowment offer (in mineral land rights) to teach "superiority of the Anglo-Saxon and Latin-American races."

Later he dismissed the furore his offer created as a "tempest in a teapot," said the value of his holdings had been exaggerated, and that although he approved the doctrine of white supremacy, he had not made a formal request that the college teach it.

However, he said in an interview here, "if I have the estate I think I have, I'm going to organize an

Armstrong University in Texas, either at Fort Worth or Port Arthur."

His proposed university would be for "white Christians only."

Mr. Armstrong developed his wealth from oil ventures, banking, cattle, utilities, steel manufacturing in Texas and land buying in Mississippi.

Tax Inquiries Reported

Three years ago, he said, he established in Fort Worth the "Judge Armstrong Foundation," which siphons off about 15 per cent of his income for "tax-exempt charitable and educational purposes."

Mr. Armstrong stated that the foundation had been under attack by the "Truman New Deal Administration," and that Internal Revenue agents had been prying into some of the foundation donations. They contended some donations were "propaganda contributions," he said, and not entitled to tax exemptions.

Among others, Mr. Armstrong said, his organization had contributed to Gerald L. K. Smith, but "not over $600 or $700" (Mr. Smith now heads the Christian Nationalist Crusade with headquarters in St. Louis); Emory Burke of Atlanta (Mr. Burke was president of the Columbians, an anti-Negro and anti-Jewish group stamped out in Atlanta in 1947), and R. H. Best of Boston (Mr. Best, a former American newsman in Germany, was sentenced to life after conviction of treason for Nazi propaganda work).

"I can contribute my money to anybody I want," Mr. Armstrong said. He called Messrs. Smith, Burke and Best "persecuted persons."

But he was ready if the Government decided to question in court the tax-exempt nature of some of his donations, he stated, adding: "I'll start another institution," he said.

Although he pictures himself as a Jeffersonian, constitutional Democrat, Mr. Armstrong says he took little part in the States' Rights Presidential campaign last year.

Gov. J. Strom Thurmond, the States' Rights candidate, repudiated his support, he explained.

Anti-Semitism Is Denied

"I'm not anti-Semitic," Mr. Armstrong said. "We've got some awfully good Jews here in Natchez and I like them." But he assails the fact that Jews, whites and Negroes go to school together because it "mongrelizes the American race." As for Socialists or Communists, his opinions sizzle.

Mr. Armstrong keeps a Fort Worth hotel residence for voting purposes, but prefers the quiet atmosphere of "Woodstock," his old plantation south of Natchez.

He picked up the courtesy title "judge" from his younger days in the Lone Star State. Born in Jasper County, the son of an itinerant Methodist preacher, he tasted politics as a county judge.

Tall and trim, Mr. Armstrong talks quietly, with few gestures. His solid row of gold teeth glitters when he smiles. He hears well and sees well, but carries two pairs of glasses just to be sure.

"I've got three oil fields in three counties and possibilities in two others," he said during an interview. He owns thirty-eight plantations in Mississippi.

"I own eighteen oil wells, including six of the biggest distillate wells in the world," he continued. "If turned loose, they would produce 10,000 barrels a day."

Interests in Bank Chain Sold

Many years ago Mr. Armstrong sold his interests in a string of private South Texas banks when the Spindletop oil field in Southeast Texas came in.

He became a Fort Worth bank president in 1905, and later president of a small independent utility which he helped consolidate with several others to establish the Fort Worth Gas Company. He bought a small bolt works in 1907 and built it into the present Texas Steel Company and Texas Steel Manufacturing Company. He is chairman of the board and holds a majority interest.

He skidded at least once, however. He was adjudged a bankrupt in Fort Worth's United States District Court in 1923.

Mr. Armstrong's grandfather was a Texas leader who surveyed the original state boundary with the United States and signed the Texas Declaration of Independence from Mexico. A painting of his grandfather dominates Mr. Armstrong's den. Prominent on a desk is a plain white booklet with a glaring black title—"Zionist Wall Street."

Undecided on Appeal

Segregation Ban at Airport Upheld by Federal Judge

By Richard Lyons

Washington Post Staff Reporter

Civil Aeronautics Administration order banning racial segregation at Washington National Airport dining rooms was upheld yesterday in United States District Court at Alexandria as a valid Federal policy.

Attorneys for Air Terminal Services, Inc., which operates airport dining rooms and brought the court action, were not prepared to say immediately whether ATS would abide by or appeal the decision of Judge Albert V. Bryan. ATS had sought an injunction to prevent enforcement or the order. Their decision will be influenced, they said, by action followed in three damage suits against ATS scheduled for hearing Thursday. Joseph C. Waddy, whose Washington law firm is representing plaintiffs in these cases, said he would know today whether the suits would be pressed or dropped.

Each of the three suits, all filed by Negroes before the CAA order was issued, sought damages for racial discrimination in dining rooms at the airport.

ATS personnel at the airport dining rooms early last evening said they had not received orders to stop the dining room segregation policy.

The central issue at yesterday's court hearing was whether the order is sued December 27 by CAA Administrator D. W. Rentzel conflicted with Virginia's segregation law.

This question closely concerned itself with the Assimilative Crimes Act, which makes Federal reservations subject to State laws in matters where the Federal Government has failed to act.

Melvin H. Siegel, special assistant to the Attorney General, argued that the Federal Government had acted through Rentzel's order, and that this took precedence over the State law.

Judge Bryan agreed with Siegel. "The fundamental purpose of the assimilative crimes act," Judge Bryan said in a memorandum, "was to provide each Federal reservation criminal code for its local government. Its was intended 'to fill in local statutes to fill in gaps in the Federal Criminal Code.' It is not to be allowed to override other Federal policies as expressed by acts of Congress' or by valid administrative orders . . . and one of those 'Federal policies' has been the avoidance of race distinction in Federal matters. . . . The regulation of the Administrator, who was authorized by statute to promulgate rules for the airport, is but an additional declaration and effectuation of that policy and therefore its issuance is not barred by the assimilative crimes statute."

Though he upheld the order and refused to issue an injunction, Judge Byran struck down one of the Government's main arguments—that the Virginia segregation law does not extend to restaurants.

Siegel had contended that since the word "restaurant" was not specifically stated in the act, it could not be inferred from it. He went on to cite a number of cases to support his argument.

Judge Bryan ruled, however, that "the court may assume the Virginia statute is applicable to restaurants. Certainly, it is sufficiently close to justify plaintiff (ATS) in believing it was affected by the scope of the statute."

Bryan also dropped United States Attorney George R Humrickhouse as a defendent in the case on the ground that it was both unnecessary and illegal to include him. The Government dropped its claim that Rentzel, as head of a Government agency, could be sued only in the District, to remove any ground for ATS requesting a delay in the hearing.

ATS Attorney Frederick Jl Bal. argued that "we are neither for nor against the order" but concerned only with its validity.

He pictured ATS as riding on the horns of a dilemma. If it complied with the order, he said, ATS could be prosecuted by the Federal Government under the assimilative crimes act for violating the State segregation law.

On the other hand, if ATS does not obey the order, Ball said, it can be prosecuted for violating a CAA order, and could break its contract. "We are in a legal no-mans' land," Ball told the court.

He also argued that ATS was given less than 24 hours notice, instead of the customary 30 days, of the order's publication, and he argued from a letter written by then Secretary of Commerce W. Averell Harriman to the Speaker of the House of Representatives August 1, 1947, that an Act of Congress was necessary to end segregation at the airport.

To the Harriman letter, Siegel replied: "It is safe to say that at no time were the decisions cited here studied by his advisers."

J. Lindsay Almond, attorney general of Virginia, attended the hearing, but declined comment.

Denman T. Rucker, Commonwealth's Attorney of Arlington County, said that so far as he knew the State of Virginia has no intention of contesting the court decision. The airport was originally a part of Arlington.

"Even if we wanted to" Rucker added, "there isn't anything we could do about it."

Injunction Denial Knocks Props From Racial Segregation

Memphis World

Memphis

By LOUIS LAUTHER

ALEXANDRIA, Va.—(NNPA)— Judge Albert V. Bryan in the United States District Court here today denied the motion of Air Terminal Services, Inc., far a preliminary injunction to restrain the civil aeronautics administration from enforcing its order banning racial segregation at the Washington National Airport and dismissed the Plantiff's suit.

He rendered his decision after an all-day argument over the question of whether the federal assimilated crimes act made the Virginia Jim crow statutes applicable to the airport.

The Federal assimilated crimes act incorporated into the federal criminal code criminal laws of Virginia in force on April 1, 1940, and made those laws applicable to offenses omitted within the boundaries of the airport.

In denying the motion for a preliminary injunction and discussing the suit, Judge Bryan said he felt the complaint did state a cause of action under the administrative procedures act sufficient to bring the CAA Administrator under the jurisdiction of his court.

After the luncheon recess, the government had submitted to the jurisdiction of the court and withdrawn that part of its motion as to the defendant, Delos W. Rentzel, CAA Administrator.

The government had contended at the morning session that the United States district court for the Eastern District of Virginia lacked jurisdiction for want of proper venue. Although Mr. Rentzel was served at his home in Alexandria, government counsel contended that under federal law a public official can be sued only in the place of his official residence, and the district of Columbia is the official residence of the CAA Administrator.

VENUE RULED OUT.

Since the government had submitted to the jurisdiction of the court, Judge Bryan said, the question of proper venue as to Mr. Rentzel was no longer a matter for his consideration.

Judge Bryan also dismissed the case as to United States Attorney George R. Humrickhouse because he did not think the suit was properly brought against him and the court had no jurisdiction to enjoin the prosecution of criminal offenses.

As to the Virginia Jim crow statute, Judge Bryan said he would assume, but not decide, that it covered restaurants. That assumption, he said, brought him to the question of whether the assimilated crimes act would prevent the CAA administrator from issuing a non-discrimination order, as he had done.

In his opinion, he said, the assimilated crimes act incorporated state law to fill gaps in federal law and it did not incorporate statutes which were contrary to public policy.

He said he felt the CAA Administrator did have authority to issue the regulation in question and, therefore he denied the motion for a preliminary injunctio nand granted the motion to dismiss the complaint.

National Committee on Segregration in the Nation's Capital

THE HORIZON

Capital Segregation Report Only First Step in Fight Against Washington Jim Crow

By P. L. PRATTIS

IT HAS been a little more than two weeks now since the summary report of the National Committee to Abolish Discrimination in the Nation's capital was made public. The reaction to the report of certain groups and individuals in Washington was like that of an angry dog held at bay and taunted with a stick. The report made them squirm and shriek: "Untrue! Propaganda! Overdrawn! Not true now! Never heard of any such thing! The report is one-sided — there's nothing said about the good side of race relations!" Obviously, such reactions were contemplated. If the report had not drawn such fire, its sponsors would have been disappointed.

Mr. Prattis

But the fabricators of segregation in the Nation's capital haven't heard anything yet. The publication of the summary report was but a first step, or testing out salvo, in the fight which some Americans are determined to make to rid the capital of jim crow. These are white Americans and they live throughout the United States. They have awakened to a sense of shame because they have allowed others to take the capital, which belongs to everyone, and to make of it the most anti-democratic capital in the entire world. They began thinking about this paradox during the late war and determined to take some action to recapture the capital from the anti-democrats in 1946.

* * *

AMONG THESE EARLY planners of the battle were Dr. Edwin Embree of Rosenwald Fund fame, Mrs. Harper Sibley of the United Council of Church Women, Dr. Belle Boone Beard of Sweet Briar College in Virginia, Dr. Charles S. Johnson of Fisk University, Dr. Channing Tobias, Dr. Anson Phelps Stokes, and a good many others, including the author of this piece.

It is significant to note that the original committee contained the names of few Washingtonians. The idea was to enlist interest and support from other sections of the Nation. Later, Washingtonians were added to the committee because of their knowledge of the problem and the special influence they might have.

In October, 1946, the committee held a formal meeting. At that time, it was decided that the committee ought to know the exact nature and scope of the problem it was setting out to solve. Everybody knew, of course, that there was widespread segregation and discrimination in the capital. That is visible to the naked eye. But no one had gone to the trouble of trying to obtain the whole story in all of its ramifications. There was no history of the growth of segregation in he capital. There was no widespread or exact knowledge of laws relating to race relations. There was no exact knowledge of rules and regulations, of the coming into being of certain "gentlemen's agreements" affecting many areas in the lives of Negroes and other residents of the capital. Most important of all, there was no real understanding of the forces behind the patterns of segregation, how segregation came to be, how it is maintained.

* * *

THE ORIGINAL COMMITTEE, therefore, authorized the executive committee to employ a research committee under the leadership of Dr. Joseph Lohman, associate director of race relations for the Rosenwald Fund. The job of the research committee was to get the facts. Dr. Lohman and a large staff of assistants worked from October of 1946 until July of 1947 obtaining the facts. They spent several more months digesting, analyzing and collating the facts before placing them in their basic report. With the basic report as a guide, Kenesaw Mountain Landiss II drew up the summary report which has been made public. The basic report, many times as long, and thoroughly documented, is to be published in 1949. It will confound many of those persons who are squealing that some of the things in the summary report are not true.

It must be emphasized that publication of the summary report was and is a first, though major, step. Dr. George Shuster, president of Hunter College, New York, and chairman of the national committee, has been authorized to set up a continuation committee. The immediate job of this continuation committee is to study thoroughly the reports made by Dr. Lohman's committee and public reaction to them and to draft recommendations for what is called implementation. In other words, the committee proposes as a next step define some of the steps which are to be taken and must be taken to abolish the evil of segregation in the capital. The committee is not going to leave the job half done.

* * *

I HAVE NO way of knowing what the final recommendations of the committee may be. However, there does exists a feeling that conditions in Washington will only yield to broad-scaled political action of some sort. Washington is a capital city with a Southern exposure because members of Congress from the South have found it politically exploitable. Jim crow in Washington has meant votes for them in Mississippi and Georgia. It has also meant jobs for Southerners in Washington. It is therefore going to be necessary for voters elsewhere to impress upon their members of Congress the necessity of restoring the capital to the Nation as a whole as well as the plain fairness of giving the citizens of Washington the right to vote for the members of their city government.

White people in Washington are induced to keep themselves disfranchised in order to prevent the Negro from voting. However, it is not the ordinary white man who benefits from this self-disfranchisement. It is Washington's Board of Trade. The stranglehold of these business interests must be broken before he citizens of Washington, black and white, can enjoy the benefits of democracy.

Segregation's Cost

Your paper on February 7 and reported statements by the executive board of the Federation of Citizens Associations assailing the *Segregation in Washington* report of the National Committee on Segregation in the Nation's Capital and contending that the elimination of discrimination against colored people, as proposed by the National Committee, would lead to "chaos" and "further inflame both races."

The executive board of the federation, speaking purportedly for the white citizens of Washington, would have us believe that there is here involved a conflict between the races—that the elimination of racial segregation and discrimination would be disadvantageous to the white people.

As a white veteran of World War II, I suggest that the very opposite is true—that the elimination of the racial segregation and discrimination would be advantageous to the white people, even if we view it solely from the standpoint of self-interest, as white people.

The existence of racial discrimination and segregation in this country seriously impairs our unity and our national strength, militarily as well as industrially. It creates animosities and fosters hatred between groups of our citizenry. And it renders less secure the position of all of us against other potential threats to American liberty and freedom.

In addition, it severely impairs our international position. This is a world in which almost four fifths of the world's population is "colored." Many nations deeply resent our manifestations of racial intolerance. These resentments obstruct mutual understanding and trust, and can well develop into an important catalyst of another world war.

All of us, white as well as colored, will benefit economically by the elimination of racial discrimination. We need the full talents and productive ability of all our residents, and these we cannot obtain from those who are denied equal opportunity in every field of endeavor.

PHINEAS INDRITZ.

Washington.

Segregation In Washington

We were glad to read your February 13 editorial criticizing the statement of the Federation of Citizens Associations concerning the segregation report. It seems to us, however, that the main onus of responsibility for the maintenance of segregation in Washington should be ascribed to organized local business interests, rather than to the Federal Government, as your editorial suggests.

During the Wilson Administration, as the report points out, the Government itself, under the pressure of Southern Democrats, was clearly responsible for the introduction of segregation into the departments and bureaus. There is little doubt that such actions greatly accelerated the growth of other local discriminatory patterns, and led to the complete lapse of civil rights ordinances set up during reconstruction times. However, during the past 10 years, and especially since the executive order of September 3, 1941, issued by President Roosevelt, the Federal Government has made great progress in the upgrading of colored employes, and has now abolished segregation in the vast majority of cafeterias and other public places within its jurisdiction.

The federation statement claims that outright repeal of segregation laws (this use of the word "laws" is rather curious, since the only laws since the Civil War have been to forbid segregation in the District rather than to encourage it) would not work. This argument is no longer tenable, since the Washington pattern is now a vastly different one from that of the Deep South or even the border States. The recent actions of the Federal Government have created a dual standard of race relations in this city, under which Negroes can enjoy their full rights as American citizens while working for Uncle Sam during the day, but are denied them after hours.

The federation has completely ignored in its statement the argument of the report that segregation in Washington is a national as well as a local problem. Yet, until home rule is restored, the administration of the District is the direct responsiblity of the Nation as a whole. Congress has in the past always deferred to the sentiments of local groups and refrained from passing legislation which seemed counter to expressed opposition of organized business interests.

If it should consider, however, that such bodies as the Board of Trade and the Federation of Citizens Associations have ceased to be representative of enlightened public opinion, and if public policy should require a change on the basis of national and international interest, it might well take steps to introduce civil rights legislation for the District and the integration of the public school systems. The fact that the Department of Justice recently took the unprecedented step of filing a brief in the covenant cases, should have clearly demonstrated that public policy, as the Government now understands it, is antagonistic to the maintenance and extension of official segregation.

Your editorial welcomes the federation's statement that spokesmen from that group declared themselves willing to discuss the facts of segregation with District Negroes, and that it seeks a better understanding between the races. ADA will be glad to take up that challenge and to arrange for such discussions to take place at the earliest possible opportunity. Public discussion of racial problems in Washington is the only means by which the many misunderstandings which exist in the minds of both white and colored residents can be analyzed and overcome.

VINCENT J. BROWNE.
JAMES H. WHYTE.
Civil Rights Committee, Americans for Democratic Action.
Washington.

THE CAPITAL OF THE SOUTH

The disgraceful jim crow conditions listed in the recent report of the National Committee on Segregation in the Nation's Capital certainly occasioned no surprise on the part of those of us who have known about them all along.

"Segregation in Washington," title of the committee's 91-page report, repeats and, in some measure, supplements portions of the 178-page report turned in at the close of 1947 by President Truman's Committee on Civil Rights.

The report blames "dominant real estate, commercial and financial interests" for a calculated and vicious plan of segregating Washington's colored citizens in housing, jobs, theatres, restaurants, parks, playgrounds and even in churches. Actually, the report points out, segregation today is worse than it was in the Nation's Capital fifty years ago.

All of this is old stuff, but maybe the old facts, presented anew, will so arouse the powers that be that they will take some remedial action. There have been hasty and even heated denials of some of the charges, but no one has yet come forward to deny that Washington, far from being the capital of ALL the people—as is the case in other world capitals—is actually the capital of the South.

For years, Washington has been run by Southerners. Home rule would change this. Congress can abolish segregation in the schools and in recreation if it will and it can do much to do away with discrimination in Federal employment.

If the Federal Government takes the lead in removing these inequities, we can then work upon the private interests. We don't need any more committees to ferret out the facts of discrimination. They have been laid bare so that all Americans can see them as plainly as the foreign visitor to our shores.

We have passed the talking stage. What we want now is action.

Negroes At American

In his letter of December 29, Mr. Rob Roy Ratliff expresses his pride that American University admits Negroes to its special downtown branch, the School of Social Sciences and Public Affairs. He then states:

"The recent segregation report and subsequent newspaper articles have failed to note this oasis in what otherwise appears to be a desert of segregation and racial conflict."

I assume that Mr. Ratliff refers to the report of the National Committee on Segregation in the Nation's Capital, entitled *Segregation in Washington.*

The fifth paragraph on page 78 of that report points out that American University admits colored Americans to its off-campus School of Social Sciences and Public Affairs but does not admit them to its campus classes.

PHINEAS INDRITZ.

Washington.

Omaha Cafe Fined $25; Wouldn't Serve Negro

OMAHA, Neb.—(ANP)—A local cafe manager was fined $25 and costs for refusing to serve a Negro customer in this city.

Suit against the restaurant, the Capital Cafe, was filed by Leroy Lewis of UPWA Local 8 CIO, after the eatery refused to serve him. He was with four whites at the time.

Fort Dix Poll Jim Crow Ends After Protest

Daily Worker
Wed 1-27-49

NAACP Counsel Forwards Letter To James C. Evans

FT. DIX, N. J.—A policy segregating Negro and white personnel in assignment to various swimming pool areas on this Army post was terminated last week following investigation and protest by the National Association for the Advancement of Colored People.

In a letter to James C. Evans, civilian aide to the Secretary of Defense, NAACP Assistant Special Counsel Franklin H. Williams had pointed out the restriction of Negroes to certain undesirable swimming facilities and had requested a thorough investigation at Fort Dix to eliminate the prevailing pattern of racial discrimination.

Clifford R. Moore, chairman of the legal redress committee of the New Jersey State Conference of NAACP branches, visited the post with Mr. Williams after complaints of discriminatory treatment were made by numerous Negro officers and enlisted men stationed there. Mr. Moore called the recent order eradicating the swimming pool segregation "a step in the right direction" but indicated that "there are still numerous vicious and discriminatory practices which must be eliminated at Fort Dix."

"Our Association will continue exposing these situations," Mr. Moore stated, "until Negro troops stationed at this Fort are given complete equality both in assignment of responsibility and opportunities for advancement with white personnel."

38a 1949

N. J. Acts To End Discrimination

As a result of protest by the New Jersey CIO and the Natl. Association for the Advancement of Colored People, the State will administer the East Orange Housing project.

Gov. Driscoll had ordered an investigation following the protests. The State will select tenants for the project on the basis of need alone, and not on the basis of race and need which the Council charged was used by the local housing authority.

Arthur Chapin, director of the Civil Rights Committee of the N. J. Council, was in charge of the CIO protest.

Integrated Pool Works in N.J.

No Friction or Money Loss, Owner Declares

NEWARK

The non-segregation policy initiated this season at the swimming pool of Palisades Amusement Park the world's largest salt water pool, is working smoothly.

After five weeks of operation under the new policy, Irving Rosenthal, the Park's owner, told officials of the Division Against Discrimination of the New Jersey Department of Education, that he is completely satisfied.

Acting on a complaint of the Committee of Racial Equality, which conducted a three-year campaign to end jim crow at the pool, the New Jersey officials first called on Rosenthal just before the pool opened for the summer.

Complies With Law

At that time he assured them that he would comply with the 1949 New Jersey civil rights law which specifically prohibits discrimination in swimming pools.

That he has complied was determined by members of the Committee of Racial Equality who went swimming there during the month of June. Colored swimmers were admitted without discrimination.

Contrary to the fears expressed in the past by Rosenthal, there have been no racial clashes and no loss in business.

Specific mention of swimming pools in the new civil rights law was partly the result of testimony by Hiram Elfenbein, attorney for the Committee of Racial Equality, at the hearings preceding the law's enactment.

The old New Jersey civil rights law specified merely bath houses and in court actions brought by the Committee of Racial Equality Palisades claimed that its pool did not fit into such a category.

FT. DIX POOL SEGREGATION ENDS

Ft. Dix, N. J.—A policy segregating Negro and White personal in assignment to various swimming pool areas on this Army post was terminated last week following investigation and protest by the National Association for the Advancement of Colored People.

In a letter to James C. Evans, civilian aide to the Secretary of Defense, NAACP Assistant Special Counsel Franklin H. Williams had pointed out the restriction of Negroes to certain undesirable swimming facilities and had requested a thorough investigation at Fort Dix to eliminate the prevailing pattern of racial discrimination.

Students of N.M.U. Boycott Drug Store for Whites Only

Afro-American 38a
Sat. 12-24-49 New Mexico

ALBUQUERQUE, N.M. — (ANP) — The University of New Mexico Student Judiciary Commission has launched a boycott of the Walgreen Drug Store here because of the store's refusal to serve colored persons. The commission has the power under the student government's constitution to direct students to boycott a business place. Baltimore, Md.

The students are backed by B'nai B'rith, a Jewish fraternal organization, the Albuquerque Ministerial Alliance, and the local branch of the NAACP. The alliance stated "unequivocally its moral disapproval of the policy of race discrimination as practiced by the drug company and any other local groups in our community."

F. C. Reilly, store manager, declined comment on the boycott. He said all comment must come from H. T. Fowler of Chicago, vice president of the chain firm in charge of store operations.

New York

...ring a Negro Charged ...o Syracuse Hotel Clerk

By The Associated Press.

SYRACUSE, N. Y. Jan. 12— A hotel clerk accused of refusing to rent a room to a Negro woman, was ordered today to appear for trial Jan. 27 on a charge of violating the state's civil rights law. The maximum penalty is a $500 fine, ninety days in jail, or both.

Paul Carlson, 35 years old, a clerk at the Truax Hotel, pleaded innocent in police court and was released in $250 bail. He was arrested yesterday on a warrant signed by Mrs. Virginia Reed of Poughkeepsie, who alleged that a room was refused to her at the hotel on Dec. 16 because of her race. A member of the United Automobile Workers Union, she came to Syracuse at that time as a delegate to the State CIO convention.

Although a CIO official had said that his secretary checked out to make a room available for Mrs. Reed, H. P. Metcalf, manager of the hotel, declared that vacant rooms were covered by reservations.

Card Players Ban Negroes

NEW YORK—With more than half of 11,539 members of the American Contract Bridge league voting against them, Negro players have been barred from membership in the organization.

Russell Baldwin, chairman of the membership committee, said that most of the Wisconsin members were against the bar, and the heaviest opposition came from the South. Midwestern and western also voted to keep Negroes out. Minnesota and Michigan voted in favor of the Negro players.

The vote results will go to the league's board of directors for official action at a meeting in December.

Dr. Louis A. Mark of Columbus, O., president of the league, said the directors might decide that Negro participation "is acceptable in some states and not in others."

Fire, Car Insurance Co.'s Discrimination Charged

Afro American, Baltimore, Md.

Sat. 7-2-49

Hearing Asked on Accusation of Freeze-Out of Businesses, Overcharging of Autoists

NEW YORK—(ANP)— In two fields of insurance, colored policy holders are victimized and discriminated against, according to testimony given at a recent hearing before the deputy State superintendent of insurance.

38a

Automobile liability insurance and fire insurance protection are denied members of the group as a rule, unless in the former the car owner is willing to pay a 25% higher premium through what is known as the assigned risk plan.

Faced with this, large numbers of such car owners prefer to go uninsured, rather than submit to this exorbitant overcharge, it is reported.

Protestors Outspoken

One protestor said:

"Every reasonable person is interested in seeing that insurance companies receive premiums which are adequate to maintain solvency. However, when colored drivers who are high class standard risks, are charged the same high premium as criminally negligent drivers, they are justly resentful.

"If the situation appears to be bad as revealed by the meager facts given, it is really critical in the field of fire insurance.

"In this field, there are those who cannot get insurance at any price. The companies not only refuse to write new lines, but as a matter of fact, refuse to renew old business, some of which have been in force for three, six, nine and even 12 years.

"Rejections are made without inspection." it was testified.

Businesses Need Coverage

"Unlike automobile insurance, where those who own a car are in many instances people who are well off and perhaps can stand loss should that occur, in the case of fire insurance, the loss falls on those who are least able to bear it," it was said.

7-2-49

"The situation is so alarming that it calls for a thorough investigation by the State of New York," one witness declared, adding:

"It is the theory of the companies that they possess an absolute right of selection of policy holders, which right might be arbitrarily exercised. For the malignant growth of discrimination, the companies offer the salve of 'sympathy for the Harlem brokers.'

"One thing is clear, the industry itself will do nothing to ameliorate the situation. Any reform that is to be effective must be imposed."

Lobbies Behind Policies

This was demonstrated in the battle a colored assemblyman had putting through the State legislature an act which insures colored insurance by any company doing business in the State.

7-2-49

At the time, the assemblyman was reported having been offered a sum of $2,300 to withdraw his bill or let it die in a committee. He refused to comply and subsequently was defeated for reelection.

Councilman Davis Lauds Men Who Unearthed Bias In Auto Insurance in Area

Councilman Ben Davis, Jr., has announced his intention of looking into the automobile insurance situation in Harlem that was unearthed by James I. Dotson, a Harlem real estate operator, and has provoked investigation by both city and state officials.

Councilman Davis told the New Age "I see in Mr. Dotson and other citizes who refuse to accept the status quo a new hope for our people. By his own efforts, this respectful Harlem businessman has succeeded in unearthing a great wrong being done the people who rae compelled by economic situations to reside in one of the most congested areas in the world—Harlem.

" I shall take it upon myself to assure Mr. Dotson and the other civic-minded businessmen who initiated investigation of insurance discrimination that their efforts will not have been in vain. Flagrant bias has been noted by these men in automobile insurance, and I shall undertake to show that there is an under-current of segregation in housing, property and furniture insurance in the area.

"Needless to say, it is strange that we are allowed to purchase property, but yet are not allowed the protection of insurance on this property. These—among other—situations must be eradicated."

—LH

CARDS ARE COLORED, BUT:

White Bridge Players Propose JC Agreement

By JAMES L. HICKS

NEW YORK (NNPA)—The all-colored American Bridge Association received a proposal recently from the all-white American Contract Bridge League, that they effect a "gentlemen's agreement" not to integrate their respective memberships, thus fostering a discrimination policy.

This was disclosed to the NNPA News Service here last Thursday by Raymond J. McGovern, prominent local attorney, former president of the ACB League, and founder and former president of the Greater New York Bridge Association.

To Hold Referendum

Such a storm of protest greeted the League board's proposal, however, that on Saturday the board meeting in Chicago, where the summer national championships were being held in the Stevens Hotel, decided to submit the issue of admitting colored persons to ACB membership.

About 75 of the League's 160 directors approved a resolution to circulate a two-question referendum among the organization's 26,000 members.

The questions were:

" (1). Should colored persons be permitted to become members of the American Bridge League?

" (2). If the answer to question one is no, then answer the following: Should colored persons be permitted to play in master point tournaments of the American Bridge League (A) national?; (B) regional?; (C) section? and (D) local?"

Cleveland Conspiracy

The League drafted the terms of the segregation "agreement at a committee meeting in Cleveland last June 18 and submitted it informally to officers of the colored bridge association. The committee voted 11 to 1 to submit the proposal to the colored association.

The white bridge players had proposed that they would refuse to accept qualified colored players as members in return for the ABA's refusal to admit white players.

Officials of the American Bridge Association whose headquarters are in Louisiana where Dr. E. T. Bledsoe, president, resides, could not be reached immediately for comment last Thursday.

New Yorkers Fight Ban

McGovern said after the League's committee drafted the proposed "agreement," the Greater New York Bridge Association sent to the League's board of directors a resolution adopted unanimously by the New Yorkers which said:

"We disapprove of any action that would deny to, or withhold from colored bridge players the right to participate in tournaments conducted by the League." Another resolution adopted condemned the action of the League's committee.

East Wants Integration

McGovern pointed out that the Greater New York Bridge Association has six colored members, four women and two men, one of whose wives is chairman of the colored association's board of directors.

The New Yorker also emphasized that the fight to integrate the League's membership is gaining strong support on the East Coast, especially in Boston and Philadelphia.

Bridge Players Vote Negro Ban

NEW YORK—(AP)—The 28,000 members of the American Contract Bridge League voted 7 to 5 against admission of Negro members, the league said.

Results of the poll will go to the board of directors for official action in December.

Commission Says Negro May Share White Man's Home

NEW YORK—The City Rent Commission upheld the right of a white tenant in Crystal Gardens housing project to share his apartment with a Negro law student.

Several times prior to the hearing the Carol Management Corp. had asked police to evict Jack Arikan, the tenant, as an "undesirable," and went on to turn off his gas and lights and finally locked him out of his apartment.

The hearing was adjourned with the understanding that if the landlord interfered with Arikan in any way, a summons would be issued and the hearing resumed.

SCAD Closes 211 of 254 Complaints in 9 Months

325,000 Persons Affected by Probes of N.Y. Commission: Breaks '48 Record

NEW YORK (ANP)—The New York State Comission Against Discrimination reported this week that more than 325,000 persons, employees and union members have been affected by investigations completed during the first nine months of 1949.

This figure is exclusive of another large segment of the popu- and clients of employment agencies which were also investigated. In the first nine months, 254 complaints have been filed as against lation also affected, the applicants 275 complaints for the entire year in 1948.

Of the 254 complaints, 77% were based on racial discrimination; 13%, on creed; 5%, on national origin; and 5%, on alleged illegal inquiries. For example, inquiries which directly or indirectly reveal the race, religion, or national origin of job applicants.

Of the 254 complaints filed to date, 179 were against employers; 32, against employment agencies; 40, against labor unions; three, against others covered by the statute passed by the State Legislature in 1945.

211 Complaints Closed

At this writing, 211 complaints have been closed during 1949 affecting 161 different organizations. In the cases of 83 firms and organizations, discriminatory patterns of employment were found and adjusted. In 51 of these cases, sufficient evidence was found upon investigation to sustain specific allegations of discriminations.

Compliance with the Law Against Discrimination was achieved through conference and conciliation. In the case of 64 firms and organizations, no discriminatory pattern of employment was revealed by the investigation. Complaints against eight firms and organizations were closed for lack of jurisdiction and six were withdrawn.

Follow-up reviews were made of 129 firms and organizations during this same period. For 90 of these it was the first review; for 33, the second; and for six the third. In 62 instances, an additional review was recommended.

Segregation Problem Is Over-Looked

Group Adopts Broad Statement On Race, Minority Groups

Staff Correspondent

RALEIGH, N. C. — Adopting a broad statement on race and minority groups, the Baptist State Convention, (white), in session here last week gave unanimous support to a comprehensive report of its committee on social service and civic righteousness, but bypassed the controversial issue of segregation.

Outspoken in support of the report, particularly with regard to the sections on industry and race and minority groups, was Dr. E. McNeil Poteat of Raleigh, pastor of Pullen Memorial Baptist Church.

Of race and minority groups, he told the convention that: "That is not the most pleasant of subjects. While we have hope about it, our timidity is colossal.

"Are we bold? Is it the part of boldness to say that segregation—hated and frightening word—is a subject about which we must not talk?

CALLED UNCHRISTIAN

"If segregation is not un-Christian, we must advocate it; if it is un-Christian, we must protest against it.

"Here in the South where the problem is rapidly becoming acute, the time has come for us to be thoroughly Christian. Paul had the boldness to say that in Christ there is neither Jew nor Greek, neither bond or free.

"Are we bold," he asked, "as the college students at the University of North Carolina, who on Oct. 27, passed a resolution asking that Negro students be admitted to the graduate school at the University? As bold as the Protestants and Jewish rabbis of Baltimore who met in an act of corporate contrition because a white boy murdered a Negro youth just on account of the color of his skin?

In section on race and minority groups the committee recommended:

RECOMMENDATIONS

1. "All Christians are brothers in Christ.

2. "Every member of a racial or minority group is a person and should be treated as such.

3. "No racial group because of biological inheritance is superior to any other group.

4. "The members of all racial and minority groups should be recognized as citizens, constituting one state under one government, with equal rights.

5. "All citizens have right to equal privileges and treatment in our local, State, and Federal governments.

6. "All racial minority groups have a right to be represented by members of their own group on bodies concerned with the general welfare of the community—police, education, courts, elections, and so forth.

7. "Christians should protest injustices and discriminations against any group and strive to promote community goodwill between all groups.

8. "The members of every group should eliminate from their speech terms which degrade or show contempt for other groups, especially in the presence of, and the teaching of children.

9. "As Christians, we must believe and teach that prejudice or ill-will toward any group is un-Christian.

JOINT MEET

"As a positive expression of goodwill, brotherly love, and cooperation, we would suggest that our pastors set an example of Christian fellowship by having joint meetings of local white and Negro ministerial unions, by an occasional exchange of pulpits, by utilization of Negro choirs in our white churches and vice versa, and by working closely with Negro ministers in improving social conditions in the community as a whole.

Governor W. Kerr Scott and the City Council of Raleigh were commended in the general section of the report, Governor Scott for appointing a Negro educator to the State Board of Education, and the City Council for the appointment of a Negro attorney to membership on the City School Board.

Editor's note—Dr. H. L. Trigg, president of St. Augustine's College was the appointee to the State Board of Education while Attorney F. J. Carnage was the appointee to the Raleigh School Board.)

Elsewhere the report said, "we wish to commend those communities that are making serious efforts to erase group discrimination, to provide equal educational and recreational facilities, to see that better housing and sanitation are provided, and higher standards of living are encouraged, especially in slum areas, regardless of race."

Ohio

White Swimmers Smash Camera Of News Reporter

YOUNGSTOWN, O.—(AN)—As this town entered the fourth week of the undeclared war to keep Negroes from using the city-owned swimming pools, two white hoodlums snatched a $300 camera out of the hands of a colored news photographer and smashed it to pieces.

The photographer, Carl Rouse, was standing outside of the fence around the swimming pool when the act of vandalism occurred. Earlier a group of white and colored swimmers had sought to use the pool together, and four of them were arrested by police who, to the present time, have arrested none of the hoodlums who have stoned and beaten Negro swimmers. The four arrested were held incommunicado for three days, and finally reletsed only on habeas corpus. One of the arrested men, who was colored, was released to attend his sick wife only after he had been forced to agree that he would have nothing to do with the other three.

A meeting of citizens called to map action against the outrages was disbanded when the chairman, an NAACP official, declared that were 'Communists in the house' and refused to continue to preside.

FOUR ARRESTED IN OHIO SWIM POOL DISTURBANCES

CLEVELAND—(NNA)— The arrest of Don Rothenberg, state organizer for the young Progressives and three companions by police of Youngstown, Ohio, in connection with racial disturbances at swimmings pools there was denounced last Thursday by spokesmen for the party of Ohio.

Youngstown policemen were accused of passing over "terrorists and hoodlums" to pounce on and hold the four Young Progressives.

A statement issued at party headquarters by Louis Hahn, chairman of the Progressive party of Cuyahoga County, said:

"The arrest and holding without charge of Don Rothenberg, state director of the Young Progressives of Ohio, and three companions in Youngstown, is a vicious disregard of justice and human rights.

Ohio Girl Stirs State Fight On Jim Crow

CINCINNATI, Ohio—A 16-year-old girl became, last week, the center of a raging storm against Jim Crow in Washington, the nation's capital.

She is attractive Joan Rankin of this city, who was elected and served recently as governor of Buckeye Girls' State.

A decision made by Mrs. Carl W. Zeller of Gibsonburg, Ohio, director of the Buckeye Girls' State, sponsored by the American Legion, is the center of the storm.

Won't Change Ruling

She steadfastly refuses to permit Miss Rankin to attend the Nation Girls' State conclave in nation's capital, August 21-27, because, she said:

"The organization wants to save Joan humiliation and embarrassment from the social discrimination in Washington."

When several organizations and persons appealed to Mrs. Zeller to change her position, she declared:

"I positively will not."

Meanwhile, Ken Turner, young Racine, Wisconsin, high school athlete, was uproariously acclaimed in Ripon, Wis., last week after he was elected governor of the Badger State Boys. He was the principal figure in a mammoth rally and parade, held in the main streets of Ripon by the American Legion.

In Columbus, Ohio, Representatives David M. Postlewaite, a Democrat of Franklin County, and Morton Neipp, a Democrat of Lucas County, offered a resolution in the Ohio House which stated, in part:

"We call upon the President of our Nation, and Congress, to take such appropriate action as would prevent the capital of our nation from continuing to be a spectacle of criticism from the nations of the world because of such conditions as affect our democracy, our Chistianity and our statements of brotherhood. . . ."

Unbiased Accommodations

In Washington, the greater Council of the American Veterans' Committee offered a solution to the problem.

The telegram sent to Mrs. Zeller read: "We urge you, as Ohio Legion Auxiliary President, to do all possible to send Joan Rankin to Washington. Girls' State Board's wish to spare her embarrassment is commendable, but American University assures her accommodations without segregation or discrimination."

A student of Withrow high school, Miss Rankin was recommended by her principal for Girls' State on the basis of good grades, civic participation and excellent personality.

Joan's Mother Speaks

At the convention in Columbus, Joan won the governorship by winning 309 out of 422 votes. Eight other Negro girls were present at the confab.

Mrs. Luella Jones, the comely young lady's mother, said this week:

"Joan is personally aware of segregation and discrimination, but it would be a disappointment to her if her country, in which true democracy is preached daily, approved this."

SUNDAY TOWN MEETING SPEAKERS AGREE NEGRO IS NOT MEETING MODERN CITIZENSHIP CHALLENGE

Oklahoma City Okla.

18th Century Blacks Had Jump On Present Breed, Says Urban League Head

FREDDY HARPER WILLIAMS SERVES AS MODERATOR

Five speakers entered into spirited discussion Sunday afternoon in the auditorium of the YWCA, during the Town Meeting program of the Business and Professional Girls club, the subject under discussion was "Is the Negro Meeting the Challenge of First Class Citizenship." The moderator of the meeting was Mrs. Freddye Harper Williams.

"As long as we do not demand full integration in American life we are not meeting the challenge of first class citizenship" declared Mrs. Ruby Hall, the first speaker presented by Moderator Williams. Mrs. Williams believes that most of the advance today has been caused by pressure from other groups, while according to the speaker the 18th century black man cranked his own motor, engaging in more than fifty mutinies and more than 250 insurrections. The speaker pointed out that no group would have integration without fraternalization.

Warren Fisher, Chickasha, and the husband of the young lady who fought three years to get in the Oklahoma University law school, thinks that the right to vote is a privilege which many Negroes do not seek to embrace. He recited figures to show the voting strength of the Negroes in Oklahoma, which they do not organize to make effective. Fisher feels that the large number of Negroes still going out of the state to secure higher education proves the black man is not yet prepared to take advantage of the opportunities knocking at his door.

"White folk don't meet all of the challenges of first class citizenship" declared Jimmy Stewart, president of the Oklahoma City branch of the NAACP. "If they did meet that test they would give Negroes their civil rights" declared the speaker. Stewart said some proof that Negroes are worshiping and idealizing the standards of other people is proved in his book of experiences when he discovers people in Oklahoma City who object to Negroes reading their gas meters on the assumption that a white meter reader reads meters more accurately, and that his bill is consequently less.

Mrs. Cenoria Johnson, Urban league secretary, feels that Negroes in slavery were in some respect ahead of the present generation. On the every day job the average Negro is certainly going to have to take a hitch in his trousers," said Mrs. Johnson.

Mrs. Johnson said a few Negroes are meeting the challenges of the hour but she said few of her group seemed to understand that as a minority group technique, any man at the bottom of the ladder, to rise, must be twice as good as the other fellow. The Urban league secretary feels the average Negroes does not know how to integrate himself into democratic society.

"One can observe the Negro is not meeting the challenge of first class citizenship" declared Rev. W. F. Cannon, pastor of the Bethany Presbyterian church, "is his failure to patronize the new Edwards Memorial hospital." "We would rather carry our dear ones into a basement for treatment rather than take advantage of all of the equality offered in the Edwards Memorial, where we can secure the services of any doctor in the city, black or white," continued the speaker.

Rev. Cannon said the average black man in the U. S. was dominated by two fatalistic philosophies as characterized by two expressions: "Every man for himself and God for us all;" "Eat, drink and be merry for tomorrow we may die." "In the first we have a brief for individualism and opposition to organization and in the latter is expressed a hopelessness that stems only from desperation"

Burial Restriction Hits Army Vet

KLAMATH FALLS, Ore.—The NAACP branch here has reported that on June 27, officers of the branch met with the City Council at which time a white branch member presented a letter of protest from his wife concerning the preventing of burial of a colored Army veteran in the Klamath Memorial Park Cemetery because of a clause in the law that governs the burial ground.

The Council took initial steps to strike out the provision which says, "said land shall be used for underground burial of human dead of the white race as defined by devisions of the United States Supreme Court and none other." Peter Williams, 27, was prevented from being buried there.

There'll Be Fights

Bill Canton, chairman of the Memorial Cemetery Committee, stated vociferously that if the provision stays, "there'll be a fight." Canton said he had been asked to bury Williams in Keno's Cemetery, but he had refused. The veteran was buried in a plot in Linkville Cemetery set aside for indigent war veterans.

Canton said there is no such thing as an indigent American veteran since the government allots $150 for burial. The debate was led off with a letter from Mrs. Irene Kroenert who termed the ruling "un-American and a disgrace to the city."

Girl Sentenced for Crossing Racial Lines in Dating

DETROIT — Miss Margaret Regan, white, was given two years' probation and ordered to pay a $50 cost of supervision during the probation period, Tuesday, when she appeared before Recorder's Judge Arthur E. Gordon.

Miss Regan is the girl friend of Louis Wanzer, of 329 Holbrook. On June 25, Wanzer was fined $100 by Judge Gordon after an officer arrested the two together in a parked car near the girl's home. Miss Regan was referred to the psychiatric clinic for a test.

The attorney representing Miss Regan said the policeman making the arrest perhaps was prejudiced after he discovered that Wanzer was a colored man.

Accepts Apology

'King' Cole Hotel Suit Is Settled

PITTSBURGH, Pa. — A $25,000 damage suit, filed against the Hotel Mayfair last April by Nat (King) Cole, was settled out of court this week for an undisclosed sum and a letter of apology.

The announcement was made by Attorneys Paul F. Jones and Thomas E. Barton, who represented the singer. Cole's suit was filed after he and his wife had been refused accommodations at the hostelry, although two white members of his entourage had been accepted.

Series of articles by- Stetson Kennedy and Elizabeth Gardner

JIM CROW GUIDE TO U.S.A.

't's Illegal to Be in Love If Your Color Isn't Right'

By STETSON KENNEDY and ELIZABETH GARDNER

This is the second article of an exclusive AFRO series, "Jim Crow Guide to U.S.A." condensed from a book to be published by Gaer Associates at $1 next

In 29 of the 48 States in the United States it is against the law for persons of different races to make love, marry or have children.

Should you enter into a forbidden interracial marriage in any of these States, your marriage is automatically void, your children by any previous marriage may be taken from you by the State, your children by the interracial marriage will be branded illegitimate and may also be denied their rights of inheritance, and you and your spouse may be charged with "lewd and lascivious conduct," a misdemeanor, a felony, or an "infamous crime"—depending upon the State—and fined and/or imprisoned for as long as 10 years in some States. A number of States say that parties to such marriages must me sent to jail.

The Constitution of the U.S.A. says that "Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State." However, a Federal court has ruled that this "full faith and credit" clause does not require any State to recognize marriages which are contrary to the local ideal of morality.

If you are a bona fide resident of one of the 19 States which do permit interracial marriages, and you are a party to such a marriage only two—of the 29 prohibiting States—North Carolina and Louisiana—have indicated that they will recognize it as legal.

If you become party to a legal interracial marriage in some foreign country, it will not be recognized as legal in these 29 States even if you are a citizen of that country, or even an official representative who is not subjected to certain other U.S. laws.

On the other hand, California, which banned intermarriage until 1948, made a number of exceptions in cases involving colored persons born outside the continental U.S.

If you are a resident of North Carolina, Delaware, Maryland, Mississippi, Montana, Tennessee, Texas, or Virginia, and go to some other State and enter into an interracial marriage where it is legal to do so, and then return to your home State, your marriage will be void therein and you may be prosecuted.

If your home is in Mississippi, Oklahoma, Tennessee, Texas, or Virginia, you will also be banished from ever again living within boundaries of your home State, either with or without your illegal spouse. Ted Sesney, a white farmer, and his colored wife, Josie Douglas, were banished from Oklahoma in 1945, after Sesney served a year in prison.

Most of the 29 States which prohibit interracial marriage also prohibit sexual intercourse, cohabitation, and concubinage between the races.

Even in other States where there are ordinary laws against unmarried sexual intercourse, cohabitation, or concubinage, these laws are apt to be more strictly enforced when the partners are not of the same race.

Two Won't Be Used

If you are contemplating interracial matrimony, but are a resident of a State which does not permit it, steer clear of Massachusetts and Vermont in choosing a State in which to get married.

Although permitting such marriages, these two States will void your marriage if it is shown that your intention was to evade the law of your home State and then return to it.

Also, should you choose to be married in Pennsylvania or Rhode Island, you will have to register your race and that of your spouse-to-be in applying for a license.

Verboten

Twenty-nine States declare marriages between white and colored persons (variously defined) to be automatically void and non-existent.

Fourteen of these States also prohibit marriages between whites and Mongolians.

Nine of them forbid marriages between whites and Malays.

Six bar matrimony between whites and American Indians, with two of these also ruling out marriages between whites and mestizos, and another banning marriage between whites and half-breeds.

Three also forbid colored persons and American Indians to marry each other.

Two prohibit marriage between whites and Asiatic Indians, and another outlaws marriage between whites and Hindus (a religious group which includes various races).

One State outlaws marriage between "whites" and West Indians (a geographic designation including both whites and non-whites). And one State will not permit the marriage of a colored person to a Malay.

If you are a party to one of these illegal combinations, the laws provide that both you and your spouse must be either convicted or acquitted, except in West Virginia, where the law punishes the white partner only. The only way to win an exception to this rule of mutual guilt is to plead ignorance of your partner's race.

In the matter of prohibited interracial, sexual intercourse, you may be prosecuted even though there are no third-party eye witnesses, the courts having ruled that sexual intercourse may be inferred, from circumstantial evidence.

In some States, if you are white and male, you may not be convicted on the unsupported testimony of your alleged partner.

However, the courts have ruled that "If two persons are seen nude, in bed together and in each other's arms, that is sufficient proof of the corpus delicti to admit in evidence a confession by one of the defendants."

In Indiana and Mississippi, it is against the law to so much as advocate social equality or intermarriage. The Mississippi law reads:

"Any person, firm, or corporation who shall be guilty of printing, publishing, or circulating printed, typewritten, or written matter urging or presenting for public acceptance or general information, arguments or suggestions in favor of social equality or of intermarriage between white and colored persons, shall be guilty of a misdemeanor and subject to a fine not exceeding $500 or six months' imprisonment or both."

On the other hand, a colored minister who publicly deplored sexual relations between colored women and white men was soon visited by a deputation of white businessmen who warned him to cease voicing such sentiments.

Upheld by High Court

If you believe that any two people have an inherent and inalienable right to fall in love, marry, and have children regardless of race. it is only fair to warn you that the constitutionality of laws prohibiting interracial marriage has been upheld by the Supreme Court of the United States.

For the most part these laws were adopted after the Civil War, and have been successively strengthened. They are very much alive today, as witness the following cases.

On Dec. 20, 1948, Davis Knight, 23, who had served in the Navy as a white man, was sentenced to five years in the Mississippi penitentiary for marrying Junie Scradney, a white girl, after it was testified that his great-grandmother had been colored.

Knight argured in vain that his great-grandmother was not a full-blooded Negro, and therefore he himself is not a colored person according to the ⅛ colored person blood definition in Mississippi.

His Marriage Ruled Out

On March 4, 1949, Clark Hamilton, 20-year-old colored Navy veteran, was sentenced to serve three years in the Virginia penitentiary for marrying Florence Hammond, white.

The couple had moved to Maryland, and his sentence was suspended after he pleaded guilty. But while awaiting trial he served 82 days in a Virginia jail, and his marriage was held void.

NEXT WEEK: Who may marry whom. where.

Series of articles by- Stetson Kennedy and Elizabeth Gardner

JIM CROW GUIDE to U.S.A.

Starting a New Series By

Stetson Kennedy and Elizabeth Gardner

Racial Stigma Forces Millions to 'Pass'

Mulattoes Cross Color Line Because of U.S. Census Rules and State Laws

COURTS USE UNWRITTEN CODE

'Appearance' Important Factor in Deciding Who Is Not White

By STETSON KENNEDY and ELIZABETH GARDNER

The U. S. census classifies as colored people all persons having one-half or more colored blood. Persons in whom the admixture of such blood is less than one-half are classified as mulattoes.

Because of the special privileges and immunities everywhere enjoyed by whites in the U.S.A., an estimated five to eight million persons having some ascertainable amount of colored blood have passed over into the white community.

This explains what happened to the half million persons who registered as mulattoes in the census of 1910 but as whites in 1920. Every year an estimated 50,000 persons make this change-over.

Passing Illegal

Such passing, when it involves violation of the segregation laws of 17 States and the anti-miscegenation laws of 30 States, is illegal and may be punished.

Colored persons are variously defined by the constitutions and laws of 30 States.

In fact, there are intrastate as well as interstate variations in the legal definitions of what constitutes a colored person, and, conversely, who may qualify as white.

How Laws Operate

A person rated as white in one State may be labeled colored in another State, and segregated accordingly.

Within a single State, a person who passes the racial prescription for attendance at white schools and who enjoys all other benefits of whiteness under the segregation laws may nevertheless be defined as colored by anti-miscegenation laws, and thus forbidden to marry a white person.

The laws defining race are a comparatively modern development, and have been tightened several times since the Civil War.

The 30 States have made some effort to arrive at a degree of uniformity in their definitions of race, but have been so unsuccessful that a Guide such as this is indispensable.

Who Is Colored Where

Alabama: "The term 'Negro' includes 'mulatto'. The term 'mulatto' or 'person of color' is a person of mixed blood descended on the part of the father or mother from colored ancestors, without reference to or limit of time or number of generations."

Arizona: "Anyone having any colored blood whatever, American Indians, Mongolians, Hindus, Malays.

Arkansas: "Persons in whom there is a visible and distinct admixture of African blood shall be deemed to belong to the African race; all others shall be deemed to belong to the white race."—Anti-miscegenation law.

"The words 'person of Negro race' shall be held to apply and include any person who has in his or her veins any Negro blood whatever."—Anti-concubinage law.

California: "Colored people, mulattoes, Mongolians, Malays."

Colorado: "Colored people, mulattoes."

Delaware: Same as Colorado.

Florida: Anyone having colored blood "to the fourth generation" (one-sixteenth colored blood—as much as one colored great-great-grandparent). — State Constitution. Anyone having one-eighth or more colored blood (one colored great-grandparent or more).—Anti-miscegenation law.

Georgia Law

Georgia: "The term 'white person' shall include only persons of the white or Caucasian race, who have no ascertainable trace of either colored, African, West Indian, Asiatic Indian, Mongolian, Japanese, or Chinese blood in their veins."

"No person, any one of whose ancestors has been duly registered with the State Bureau of Vital Statistics as a colored person or person of color, shall be deemed a white person."

Note: The term "West Indian" includes anyone with a West Indian background, regardless of whether his antecedents were British, French, or Spanish Caucasians, colored people or American Indians.

Idaho: Colored people, mulattoes, Mongolians.

Indiana: Anyone having one-eighth or more colored blood.

Kentucky: Anyone having one fourth or more colored blood.—Early anti-miscegenation court ruling. Anyone having one-sixteenth or more colored blood.—Recent school segregation decision.

Louisiana Formula

Louisiana: All "persons of color". Defined by courts to include anyone having one-sixteenth or more colored blood. The courts have recognized the following categories or shades of color:

Colored ¾ or more Colored blood
Griffe ½ Colored, ½ mulatto
Mulatto ½ Colored, ½ white
Quadroon ¼ Colored, ¾ white
Octoroon ⅛ Colored, ⅞ white.

Maryland: Anyone having one-eighth or more Colored blood. Malays.

Mississippi: Anyone having one-eighth or more Colored blood. Anyone having one-eighth or more Mongolian blood.

Missouri 'Looks'

Missouri: Anyone having one-eighth or more Colored blood, Mongolians.

Note: Juries are specifically authorized to determine proportion of Colored blood by defendant's appearance.

Montana: Anyone having any Colored blood whatever, Mongolians.

Nebraska: Anyone having one-eighth or more Colored blood, anyone having one-eighth or more Mongolian blood.

Nevada: Colored people, Malays, Mongolians, American Indians.

North Carolina: Anyone having one-eighth or more Colored blood, anyone having one-eighth or more American Indian blood.

North Dakota: Anyone having one-eighth or more Colored blood.

Oklahoma: Anyone of African descent.

Oregon Statute

Oregon: Anyone having one-fourth or more Colored blood, anyone having one-fourth or more Chinese blood, anyone having one-fourth or more Kanaka (Malay) blood, anyone having one-half or more American Indian blood.

South Carolina: Anyone having one-eighth or more Colored blood, American Indians, mestizos, half-breeds.

South Dakota: Colored people, Mongolians, Malays.

Tennessee: "All Colored people, mulattoes, mestizos, and their descendants, having any African blood in their veins, shall be known as 'persons of color'."

Texas: "The term 'Negro' includes also a person of mixed blood descended from Colored ancestry from the third generation (one-eighth Colored blood), though one ancestor of each generation may have been a white person. Any person not included in the foregoing definition is deemed a white person."—State Constitution. Anyone having any Colored blood whatever.—State law.

Utah: Colored people, Mongolians.

Virginia: "Every person in whom there is ascertainable any Colored blood shall be deemed and taken to be a colored person, and every person not a colored person having one-fourth or more of American Indian blood shall be deemed an American Indian."

(Note: Persons having one-fourth or more American Indian blood and any amount of Colored blood under one-sixteenth are regarded as Indians rather than Colored people, provided they remain on an Indian reservation.)

Asiatic Indians, Mongolians, Malays.

West Virginia: Colored people.

Wyoming: Colored people, mulattoes, Mongolians, Malays.

RULES OF EVIDENCE

The ordinary rules of evidence do not apply to race cases.

Instead, the courts have evolved an unwritten code which they apply to race cases only. While not always the same in every State, the following principles are widely followed:

Evidence of Whiteness. Among the evidence of whiteness declared by the courts to be admissible is testimony to the effect that a person:

1. Is reputed to be white
2. Associates with whites.
3. Enjoys a high social status.
4. Exercises the rights of whites (attends white theaters, votes, etc.).

Evidence of Color. Although in ordinary cases rules of evidence permit only experts (as in ballistics, fingerprints, handwriting) to give opinions, the courts in race cases will allow any witness to give his opinion as to the race of the party in question.

Anthropologists — experts on race—have never been called upon by the courts to appraise a person's race.

Any person whose race is being judicially appraised, as well as all relatives both direct and collateral, may be required to appear in court and submit to a physical examination by the judge and jury.

Physical appearance is regarded as among the best available evidence of race. Photographs and hearsay attesting a person's physical apperance are also admissible.

Among the physical characteristics commonly held by the courts to be evidence of Colored blood are dark skin, kinky hair, thick lips and broad noses.

It has been ruled that for a person to prove he is of Sicilian or other Mediterranean stock does not necessarily prove he is white.

In conducting courtroom examinations into a person's race, the courts have required the removal of shoes, it having been asserted that persons of color have a peculiar configuration of foot!

Also, women have been required to bare their breasts to juries, following a witness's testimony that the nipples of colored women lack a pinkish pigmentation said to be found in white women only!

APPEARANCE IS IMPORTANT

In many parts of the United States your race may be judged by the clothes you wear, the way you cut your hair, or the language or accent with which you speak.

If you are a white man and wish to avoid the many disabilities and hazards incident to being not white, you should avoid wearing anything suggestive of the so-called zoot suit, whose distinguishing characteristics are a drape coat and peg trousers.

The white community has come to look upon the zoot suit as a badge of defiance against its customs, and consequently not even a white person may wear one with impunity in many areas.

California Dilemma

You many recall that during 1943 in Los Angeles a number of people were killed, hundreds were injured, and thousands were arrested for no other ostensible reason than that they were wearing zoot suits.

Most of these victims were of Mexican ancestry, although some were of colored or Japanese antecedents. To cope with the situation, the Los; Angeles city council adopted a law forbidding the wearing of zoot suits.

Thousands of youths were caught in police dragnets, fingerprinted, photographed, their zoot suits cut off, and their "Argentine ducktail" haircuts shaved.

On Sept. 24, 1946, a student at Arizona State College was mistaken for a zoot-suiter at Tempe, where a policeman arrested him, held him without bail, and stood by to see that he did not resist while his head was shaved.

On the other hand, if you are a colored person and for any reason wish to tour the South as a white man, you can probably do so by wrapping some sort of turban around your head.

This disguise was tried and found effective by a light-skinned colored American in 1948.

However, if your identity as a colored person should be discovered you would not only be liable to prosecution for violation of the segregation laws, but would be in considerable danger of being lynched by a mob for attempting such deception.

Outside the South such methods may be employed with greater safety.

In Washington, D.C., and other non-Southern centers, where some hotels, restaurants, and theaters bar colored people, you may often gain entry simply by affecting some foreign language or accent.

Series of articles by Stetson Kennedy and Elizabeth Gardner

JIM CROW GUIDE TO U.S.A.

How Housing Is Kept Lilywhite

This is the fourth article of an exclusive A' 10 series "Jim Crow Guide to the U.S.A.," condensed from a book to be published by Gaer Associates at $1 next spring.

By STETSON KENNEDY AND ELIZABETH GARDNER

If you are a Caucasian and a Christian, you are more or less free to live anywhere you can afford in the United States.

If you lack one or both of these qualifications, you will find yourself barred by one or more of such factors as laws, contracts, conspiracies, and terrorism from buying, leasing, renting, inheriting or otherwise acquiring or occupyng a residence in many neighborhoods, both desirable and undesirable.

It is true that Congress in 1866 passed a Federal law which said, "all citizens of the United States shall have the same right, in every state and territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold and convey real and personal property."

But that law was repealed in 1894.

The Fourteenth Amendment to the Constitution, which was supposed to take the place of this law, does not assert any right to acquire property, but only forbids the States (not individuals) from depriving anyone of property wthout the due process of law.

Federal law can be invoked, however, whenever your title to a piece of property was acquired in accordance with some Federal provision, as in the case of public lands made available for homesteading by the Federal Government.

Of course, racial and religious restrictions make housing more expensive for everybody.

If you are Christian Caucasian, you naturally have to pay extra for living in a neighborhood restricted to your own kind.

If you are not a Christian Caucasian, you will generally have to pay more than your Christian Caucasian neighbors to live in a mixed neighborhood.

For instance, in a recent Supreme Court case it was shown that colored persons living in a mixed neighborhood in Washington are being charged 30% more rent than their white neighbors.

Even if you make your abode in some non-Christian or non Caucasian neighborhood, you will be charged premium prices because of the overcrowding and housing shortage created by the restrictions on other sections.

ZONING BY LAW

For generations, residential zoning on a racial basis was widely accomplished by municipal laws, some of which were backed up by State laws.

These laws—which were to be found in all parts of the USA—set aside certain sections of the city for the exclusive occupation of whites, and consigned all non-whites to other sections. The Virginia State law, adopted in 1912 was typical:

"The map so prepared and certified and corrected shall be prima facie evidence of the boundaries and racial designation of such districts. . .Nothing contained herein shall preclude persons of either race employed as servants by persons of the other race from residing upon the premises of which said employer is the owner or occupier."

N.C. Said Laws Were Base

Such laws were widely adopted in 1910 and in the years that followed. The courts of Virginia, Georgia and Kentucky upheld these laws as a legal exercise of a state's powers to promote the general welfare.

North Carolina, on the other hand, ruled that such laws were contrary to public policy, because the State at that time (1914) was trying to discourage its colored citizens from moving to the North.

All racial zoning laws were ruled out in 1915 when the U.S. Supreme Court decided that they interfered with the rights of owners to dispose of their property to whomever they please.

Arguments that these laws helped enforce anti-intermarriage laws and promoted more peaceful relations between the races were rejected by the Court.

Various States then tried various ways to continue racial zoning.

Still High Court Says No

Some tried laws forbidding anyone to move into a block occupied exclusively by members of another race. Virginia adopted a law forbidding anyone to move into a block principally inhabited by persons of another race with whom intermarriage was prohibited by law.

But the Supreme Court ruled these out, too.

In Texas, large groups of private citizens drew up signed agreements as to racial boundaries within their communities, and these communities then passed laws to enforce these agreements. But the State courts ruled this out.

In Louisiana, the city of New Orleans passed a law requiring a prospective home-purchaser to get the consent of a majority of the racial group which predominated in the subdivision. But the Supreme Court said no to this.

Would Punish 'Violators'

In Oklahoma, Gov. "Alfalfa Bill" Murray in 1935 declared martial law to enable Oklahoma City to pass a law setting up racial boundaries and prescribing punishment for each day anyone resided out of bounds, including those who might have to move.

But the Supreme Court ruled against this also.

An untested law in Louisiana still says you cannot occupy space in an apartment building in which members of another race also live, even if there are partitions between the races and separate entrances for each.

An exception is made where persons of one race are employed as servants of the other.

Strain on What Mind?

In Alabama, the courts ruled in 1926 that there is an unwritten covenant preventing white people in the State from renting apartments to colored persons in the same building with whites.

In a case where this unwritten covenant was violated, the court ruled that the aggrieved white occupants could sue the owner for (in effect) evicting them, and also claim damages for mental anguish suffered from having to share toilet facilities with colored persons.

Birmingham Laws Outlawed

Despite the U.S. Supreme Court's ruling against racial zoning laws, many such laws remain on the books, and are enforced by social pressure and terrorism just as effectively as they formerly were by police action.

In fact, the city commission of Birmingham, in August of 1949, passed a law banning white persons from moving into colored areas and vice versa. One man who defied the law had his home bombed.

(That law was outlawed by a Federal court two weeks ago—Editor's Note)

And, laws or no laws, whether you are white or colored, any attempt on your part to live under the same roof with anyone of the other race in the South—unless he is your employer or employee—will be met with instantaneous police action.

The charge most likely to be lodged against you is disorderly conduct. This prohibition also extends to persons visiting in the homes of those of another race.

Prevented From Building

You will also find racial zoning now being enforced by municipal zoning commissions, many of which refuse to issue building permits to non-Christians and non-Caucasians in Christian Caucasian neighborhoods.

For example, the Miami zoning commission not long ago denied a permit for the construction of a housing project for colored persons, following protests by the press, Ku Klux Klan, and Business-men's Association that the proposed site was in a section set aside for whites only.

For another example, on March 28, 1949, Building Inspector Carl Horne of Milton, Mass., ordered a halt in the construction of a Jewish center (where both religious and recreational activities were to be conducted), even though zoning regulations for that neighborhood permitted the building of "houses of worship."

Real Estate Groups Guilty

Still another means of perpetuating and extending racial zoning is through real estate boards and commission.

Many of these organizations of realtors—licensed by the State—have a written or unwritten policy of refusing to rent or sell to non-Christians in Christian neighborhoods or to non-Caucasians in Caucasian neighborhoods.

For instance, the Code of Ethics adopted by the Real Estate Board of Washington in 1948 provides: "No property in a white section should ever be sold, rented, advertised or offered to colored people."

This board takes the position that a neighborhood is white if 50% or more of its residents are white speople

4 Firms Lose Licenses

In 1949, the Georgia real estate commission revoked the licenses of four Atlanta firms that had been accused by Ku Klux Klansmen of selling white property to members of the other race.

The exact charge preferred against these realtors was that they had deliberately misrepresented to their clients that the property was in colored neighborhoods.

Since it appears on the surface that their licenses were revoked for misrepresentation only, these realtors cannot appeal to Federal courts and accuse the State of racial discrimination.

On the other hand, if a white person purchases a dwelling on the assurance of the realtor or owner that it is in a white neighborhood, and it turns out to be in a colored section, the purchaser can charge fraud and sue for damages.

How They Circumvent Laws

In spite of the fact that cities and States are not permitted to enforce racial residential zoning, they are permitted to maintain what are called "separate but equal" recreational and other facilities for the races.

In fact, if you own a piece of property and want to give it to a city or State with the proviso that it be used for whites only, it can be accepted on those conditions, according to court rulings in a number of States.

By the same token, if you want to turn over some property to a city for the use of Christians only, the city apaprently can accept it on those terms, unless it happens to be in one of the several States having civil rights laws.

ZONING BY COVENANT

If you are a non-Caucasian—and perhaps also if you are non-Christian—you cannot in anywise acquire a home in some 40 million dwelling units in the USA, due to restrictive covenants entered into by their previous and present owners.

Such covenants cover about 99% of all post-war housing in the USA, leaving 10% for you to choose from.

Most of these covenants are perpetual, with each successive owner pledging never to dispose of the property to a non-Caucasian, non-Christian, or whatever other minority is forbidden.

Covenants Cover Anyone, All

Also often barred are Orientals, Mongolians, Syrians and American Indians. When the language of the covenant is not specific, confusion sometimes results, as in a West Virginia covenant barring "Ethiopians" (the courts decided this meant anyone of colored ancestry), and a Midwestern case in which the Ku Klux Klan asked the courts to rule that a covenant barring "Orientals" also excluded American Indians.

Over a period of years, restrictive covenants were upheld by the courts of a number of States, including Colorado, Georgia, Louisiana. Kansas. Missouri and of the District of Columbia.

Owned But Couldn't Occupy

California—which has a law prohibiting any limitation of the right of property-owners to dispose of their holdings—ruled out covenants against selling and renting to certain minority groups, but upheld covenants barring occupancy.

As a result, certain minorities were free to purchase such property, but could not occupy it. Michigan, Ohio and West Virginia took this same position.

Illinois aproved bans against both purchase and occupancy in

1937, and New York did likewise the same year. In the New York case, the court enforced a covenant barring the purchase of a certain lot by colored persons.

The couple who wished to purchase the lot consisted of a man who was ¾ colored and ⅞ white. Had the court considered the couple as an entity, its composition would have been 9 parts white to 7 parts colored.

Their Presence No Excuse

Some States held such covenants to be binding even though the covenanted property in time became surrounded by colored persons. For example, in 1937, the District of Columbia refused to let a white man sell his covenanted property, ruling that its having been surrounded by colored residents did not necessarily render it unfit for occupancy by whites.

On the other hand, Illinois, California, Kansas and Missouri ruled that when the racial composition of the neighborhood changed, restrictive covenants were no longer binding.

'NEW ORDER'

In 1948, the U.S. Supreme Court ruled that no court may be called upon to enforce a restrictive covenant.

This did not wipe out the covenants which already cover some 40 million dwellings, nor did it put a stop to the making of such covenants.

As the Atlanta Constitution said, the Supreme Court "backed into a decision that segregation of races in housing may be accomplished by voluntary agreement and such agreements may not be set aside by law."

The Constitution suggests that henceforth anyone purchasing covenanted property be required to post a surety bond, to be forfeited if he violates the covenant.

Not a Complete Solution

A nation-wide survey, conducted by the United Press in 1949, found no breakdown in existing covenants and no decrease in the number of covenants being entered into.

In addition, the UP found covenants being effectively enforced by banks and loan companies, most of which refuse to finance the purchase or repair of a home that is "out of bounds."

Besides, it still appears to be possible for someone to sue you for damages if you violate a covenant, by charging that you have caused a depreciation in the value of his adjacent property.

In fact, if you are a Christian Caucasian and someone advertises property adjoining yours for sale to colored persons or Jews for the sole purpose of annoying you, you can sue for damages.

Misrepresentation Hit Hard

On the other hand, if you are colored, you have a right to acquire a home as close to a white residence as you wish and can, the courts having ruled that a colored dwelling is not a nuisance per se.

If you delibertely deceive anyone as to your race or faith in order to rent or buy property from him, he can go into court and have the lease or sale voided.

He could also have the lease or sale voided if he could prove that a realtor or other individual of a race or faith acceptable to him was merely serving as a purchasing agent for you.

Incorporate Family

However, if you are the owner of a piece of covenanted property and are inclined to sell it to someone of forbidden race or faith. here is a suggestion which might protect you from being sued:

Why not suggest that the prospective purchaser incorporate his family and buy the property in the name of the corporation? A Virginia court has ruled that a corporation has no race; it would also seem that a corporation can have no faith.

Some Don't Need Laws, Etc.

In the absence of a restrictive covenant or conspiracy, if you are a member of some minority group you will also find many Christian Caucasian owners who still simply refuse to rent or sell to you.

For example, if you are colored you cannot rent an apartment in the Metropolitan Life Insurance Company's Stuyvesant Town project in New York City, even though 3,100 of the present occupants—constituting 62% of the total — have petitioned the company not to discriminate.

NEXT WEEK:
Official U. S. Housing Policy

Delaware Makes Sure Races are Separated

This jim crow sign in Delaware announces the sale of residential lots. The sign underneath read, "Headquarters Basic Training Center 1375th Service Unit."

Southerner TALKING

by LILLIAN Smith

THE old familiar phrase: "We are not proposing to abolish segregation in the South; we just want—" sounds evil enough at home in Georgia, but when said with a Yankee accent it makes one feel sick all over.

I am sorry that Paul Douglas felt he must say it. I am a bit more than sorry; I am shocked that he felt he must stoop to a double-talk that fools no Southerner. Senator Russell's reply was edged with sarcasm. He knows, as every Southerner knows, that to work for civil rights is to work to get rid of segregation in the South. Every Dixiecrat has this much sense; every demagogue knows this fact of life; it is only we liberals who get confused about such matters.

I cannot criticize Paul Douglas without reminding myself and my readers of his most honorable record. He fights courageously for what he believes. He has clarified his beliefs in his own mind concerning many vital matters. But in racial issues he is still a white man. Whether he realizes it or not, he spoke in the Senate as Mr. White Man doing good to Negroes. I do not believe he wants to play that unlovely role. I think he was tricked into it by his past as a member of the white race. He has not yet made the long painful journey back home to his childhood, a journey every white person in our country has to make before he can become a human being. When that journey is completed, when one sloughs off forever both the psychological priorities and economic advantages of White Supremacy, when one drains out of one's spirit the subtle arrogance and pride, when a white skin becomes no longer a banner but just a covering of the flesh, when one no longer thinks and feels **white**, then one has reached the place where bargains made over the word **segregation** will not be tolerated.

For segregation **is** the problem. The white man's right to draw lines **is** the issue. The white man's right to humiliate those who are different from him **is the very core** of the human rights question. People should make up their minds. If the white race has this fundamental right to tell other people where they can sit and stand, what doors they can walk through, what schools their children can attend, where they can eat and live, whom they can marry, even where they must eat and sleep while defending their own country, then it is logical that the white race should also have an occasional symbolic lynching to keep everybody reminded of how things are between white folks and other folks. Why worry about the kind of gun we use if we are out to kill the human spirit! Why worry about passing a law in Congress to keep the South from lynching three or four people each year if you are willing to lynch the souls of millions every day!

Many liberals who sincerely think they are for civil rights have not thought their way skin-deep into the problem. They are too concerned with the noise, the violence; it is the pus running out of the sore that offends and not the sore itself.

One wishes every white liberal could live through this daily humiliation to which Negroes are subjected; say for one week. Then maybe they would at last know how it feels. Maybe Mr. Paul Douglas should go to Georgia or Mississippi and live a few days as colored folks live. If he did that, he would not say again, "We do not propose to abolish segregation." For Paul Douglas is an honest and sincere man who believes in democracy. He does, in his mind, put the human being above color or religion. His trouble is, like so many others, that his imagination has not yet soaked with the knowledge of how it feels "to be rejected of men."

The age-old problem of the politician and his bargains is hard to solve. To bargain away one's birthright for a mess of pottage is so dangerously easy when one wants to be "reasonable." Men can wisely and sanely compromise on small differences that rise up to the surface from a deep concord of belief. But there is no concord of belief between Dixiecrat and liberal. These differences are fundamental. You are either for or against killing the human spirit. There is no common meeting place on this question.

Segregation Held Obstacle To Ku Klux

WARM SPRINGS — (AP) — Rep. Hugo S. Sims, Jr., Democrat, South Carolina, said last night that any effort to end segregation in the South at this time "would only succeed in electing demagogues to public office, and encourage the growth of the Ku Klux Klan."

The lawmaker from Orangeburg spoke before the Georgia Academy of Social Sciences. He said he opposes an end to segregation because it would "destroy all semblance of liberalism in the South."

"Last Summer while I was running for Congress, I urged the people of South Carolina to oppose President Truman's civil rights program," he said.

"I realized, as did all Southerners, conservative and liberal alike, that if President Truman's civil rights program was enacted into law it would destroy, rather than secure, human rights for the very people that the civil rights advocates hoped to help."

Sims declared:

"The recommendations of the President's Civil Rights Committee, if put into law, would have simply amounted to economically bleeding the Southern States to death. The South would have continued to pay Federal taxes but would not have benefited from Federal expenditures."

Sims said that as a "member of Congress who violently opposes the President's civil rights program, it is my duty to advocate and sponsor a positive program of legislation which will solve by evolution, not revolution, the problem of two races living side by side with equality of opportunity."

He said his "positive" program includes repeal of the Taft-Hartley Act, a minimum wage bill, general pension for the aged, Federal aid to education, Federal housing legislation, Federal health plan, an adequate farm support price program "and other legislation that will lift up those on the lower rungs of our economic ladder.

"In other words," he added, "the race problem is an economic problem."

Chicago Paper Calls Sen. Douglas 'Phony Liberal'

Special to the Daily Worker

CHICAGO, June 12.—In a sizzling editorial, the Chicago Edition of the Pittsburgh Courier, Negro newspaper, this week denounced Sen. Paul Douglas (D-Ill) as "a phony liberal." The Courier's editorial blast came as a result of an announcement by Douglas that he would seek to appear before the horse laugh.

Negro organizations here to "explain" his endorsement of segregation in the South and the armed forces in his maiden speech to the U. S. Senate.

Douglas is now the prime mover in the Senate to insert amendments to any Taft-Hartley repealer calling for government seizure of struck plants, non-Communist affidavits, etc., which would in effect totally restore the slave labor law under the guise of repeal.

Douglas has been touted far and wide as the darling of Americans for Democratic Action.

'COURIER' BLASTS DOUGLAS

Referring to Douglas' plans to appear before Negro organizations here the Courier editorial asserts bluntly, "That will be entirely necessary.

"He has already stated his position and defined it in the Senate. The Congressional Record pre-

New Scandals Rock Oak Ridge

TRICKERY IN A-BOMB BIRTHPLACE PUTS DEMS ON SPOT

By TREZZVANT W. ANDERSON,

Courier
Oct. 10-8-49
Pittsburgh
Pa. 8

OAK RIDGE, Tenn. — Yes, there's dirty work at the crossroads down here in Oak Ridge . . . birthplace of the atom bomb . . . but these good white folks are doing it in such a way as to make it look pretty clean . . . but it's there. Have no doubts about it.

They've been able to keep their heads up on the way they've frozen Negro businessmen out of the Negro areas here. But there's no way in the world for them to keep the smell out of the skies on the way they have refused to allow good, solid fifth and sixth generation American citizens—Negroes — to go into the U.S.-owned and operated theatres here, for example, as they did on the night of Sept. 22 when three of the said fifth and sixth generation Americans were denied the privilege to go into the Ridge Theatre to see the movie, "Home of the Brave."

It will be a long time before I forget how the young white woman in the ticket-window turned red, sputtered and hesitated, and then—finally—said, "You'll have to see the manager." That worthy was standing just inside the lobby, so right away we went into the lobby to see what he had to say about it.

I'd like to make it clear that he didn't have much of a leg to stand on, except that Dixie stuff. We were properly dressed, the three of us . . . we were certainly not disorderly, and our deportment was definitely above approach . . . and we didn't look like bums or thugs. "We three" were City Councilman Robert H. Wadkins—only Negro member of the local Council, Horace L. Robinson, prominent Knoxville civic leader and TVA man, and your reporter.

Courier expose bears fruit. See other story on Page 2.

READ AN EDITORIAL: "Lilienthal, Liberalism and Oak Ridge!" . . . turn to Editorial Page.

The manager did a bit of sputtering too, after getting off on the wrong foot for a starter. "Boys", he said, "I'd certainly like for you to see it. It's a good picture and it's changing a lot of folk's views. But there just isn't anything I can do about it. I'm just carrying out Mr. Gross' orders here, "Mr. Gross manages the five local theatres.

There are no "Negro theatres and no place where Negroes may see movies in this "Government-owned and operated city."

We didn't appreciate that "boys," but that's Dixie for you . . . and Oak Ridge is Dixie. Here, as no where else in America, except, possibly, Washington, D.C., Dixie is strong and the U.S. Government is weak- if you are to believe what your own eyes see.

Now with the recreation and community center both closed, local Negroes can't even see those crummy .16mm. movies which they once got a dose of at each place once a week, while whites enjoy five fine theatres with programs of latest films, open from 11A.M. to 11 P.M. and with frequent changes of programs. It smells indeed.

But, perhaps Negroes just don't count in the schemeof thinking down here. They are just chattels..perhaps. As far as official Washington and the U.S. Government are concerned, they're just that!

About that freeze-out of Negro businessmen: Down here in the South, as most all Southerners know, white folks segregate Negroes and also make Negro businessmen stay in those segregated areas. But down here the good white folks must cast a covetous eye at that approximately $60,000 gross of 1948 racked in by Wadkins and Thompson, two Negro businessmen who accepted the Dixie Pattern and lived and worked within their segregated Negro area. Something happened here.

The good white folks called a meeting of Negro businessmen and civic figures to talk over this matter of the lush concessions in the Negro area. There wasn't a single Negro who didn't have the feeling that these good white folks were going to see to it that when the bidding was done, Negroes would still be running their own business in their own area. Obviously, that was just what these good white folks intended for these Negroes to think, but if you think that's what really happened, then you've got another think coming!

Whites put in the highest bids on every single concession in the Negro area..omitting only one item, the barber shop..and, by the great hornspoon, every single concession in the Negro area went to whites on the basis of their highest bids. Said the Negro businessmen: "We thought we'd get the concessions, Southern style but those white people outbid us, so we can't squawk about that." That's true, but the trickery was on the ball.

Let's look quickly at that picture: Negro businessman Leroy Leath of Knoxville-owner of Leroy's Steak House, just off Vine Street, and the town's swankiest Negro Restaurant½ put in a bid for the cafeteria concession. It went to white Herman Magrill, whose court record wou see in a picture here. (He still faces trial for operating the number's racket here).

Another top-flight Knoxville businessman, Jack LeFlore, 32 year old native of Greenwood, Miss., who operates

the finest Negro cleaning business in Knoxville, bid for the cleaning concession, it went to the New York Cleaners, an Oakridge outfit. Incidentally, LeFlore and Leath were at that conference on Negro Business and they, too, got he same impression the other Negroes received: that the Southern pattern would be followed and Negroes herded together, business and all.

Well, everybody got fooled all the way 'round. Probably that conference kept the Negroes from making higher bids in many Negro newspapers, quite evidently aiming to attract Negro bidders, but it will be along time before this reporter will ever believe that the whole idea never once included any actual intention of awarding any concessions to Negroes, no matter how high their bids.

How do Negro citizens feel about it? They're hot under the collar. They feel that their fellows have been double-crossed. AND, they plan to boycott the white operators when they have moved into the new business sections in the Negro area. "We'll have em out inside of sixty days", they say. It's pretty true that they must be supported if they are to stay in business and if Negroes will boycott them, they'll have to shut their doors. That is the future now facing the good white folks.

Next week, the voting trickery and what the Atomic Energy Commission told the Courier last April and in June..and which we have to see, yet.

Courier
Sat. 10-8-49
Pittsburgh, Pa.

The Oak Ridge Disgrace

Pittsburg Courier

Pittsburg Pa.

OUR Trezzvant W. Anderson's sensational expose of Government-sponsored-and-controlled jim crowism in Oak Ridge, Tenn., the Atomic City, is the most shocking indictment of the Administration so far revealed.

That the United States Government, committed to freedom everywhere in the world, should so callously introduce and maintain racial segregation and discrimination where it is entirely unnecessary is a terrible thing.

The excuse that jim crowism must be tolerated because Oak Ridge is located in a jim-crow State does not hold water because the State of Tennessee has no control whatever over the Atomic City.

Tennessee officials cannot even enter Oak Ridge without authority from the Atomic Energy Commission of which the "liberal" David E. Lilienthal is the much-touted chairman.

There is no segregation of races in the Federal post offices in Tennessee and yet they are no less federally owned than Oak Ridge.

Indeed, quite the contrary, for Oak Ridge is set apart from the surrounding territory while the Federal post offices are surrounded by the cities in which they are located.

As a matter of bitter fact, Oak Ridge is worse than the other privately owned cities of eastern Tennessee, for there is none where race lines are more rigidly drawn.

In Oak Ridge the Roosevelt and Truman Administrations had an opportunity to set up a truly democratic community, free of the restrictions on racial intermingling written into the laws of Tennessee.

They could have insisted upon complete freedom and equality for all there, regardless of color, and who could have disputed them?

They had their chance to give an object lesson to the South and the rest of the country but they chose instead to surrender to the enemies of democracy even before receiving any challenge!

No Southerners, Kluxers or otherwise, demanded that Oak Ridge whites be given good housing while Negroes were put in shacks.

No Dixie Negrophobes demanded that Negroes be barred from all the Oak Ridge theatres.

There was no insistence from eastern Tennesseeans or any of their representatives in Washington that Negroes employed in Oak Ridge be relegated to the less skilled and lowest-paid jobs.

As a matter of fact nobody in Tennessee or anywhere else knew what was going on in Oak Ridge, let alone demanding that jim crowism be the rule.

The Army ran Oak Ridge for years and treated civilians of color there worse than they were treated in the uniformed ranks —and that's saying a whole lot.

Then came the Atomic Energy Commission headed by the aforesaid Lilienthal who has been widely represented as a liberal.

Mr. Lilienthal, for all his alleged liberality, has treated the Negroes no better than the Army did, and while Mr. Anderson points out in his articles that some improvements are being made in the treatment of the Negro residents and workers, it is significant that everything is being done on a jim-crow basis.

Unless we are mistaken, Mr. Lilienthal was nominated by President Truman and the Chief Executive is boss of the Atomic Energy Commission like every other Federal agency.

A word from Mr. Truman to Mr. Lilienthal could kill jim crowism in Oak Ridge in a trice, but so far no such word has come, or at least it had not arrived at the time Mr. Anderson investigated conditions in the Atomic City.

The President has advocated, with apparent sincerity, a civil rights program for the whole country to make democracy a living reality, and he has waxed indignant because his Democratic Congress has not enacted it, but he refuses to have this program introduced where no authorization from Congress is necessary.

Last week Mr. Lilienthal warned Congress that production of A-bomb weapons must be increased and the House promptly allotted the commission the sum of $1,090,120,397 to push output.

The Pittsburgh Courier urges Mr. Lilienthal to now turn to producing some real American democracy in Oak Ridge which will cost the taxpayers nothing.

If he does not act immediately to wipe out this disgrace of Oak Ridge, we call upon President Truman to order him to do so.

We shall know by what is done in Oak Ridge in the near future whether or not the Administration regards the civil rights program as a phoney and come-on.

Oak Ridge is the acid test of the Administration's sincerity.

Lilienthal, Liberalism And Oak Ridge!

ALL of us remember the big fight in the U. S. Senate over the confirmation of David E. Lilienthal as chairman of the Atomic Energy Commission which was led by Senator McKellar of Tennessee, and how the administration and the liberals rushed to his defense.

The liberal press and spokesmen declared the issue to be one of liberalism versus reactionism, and pointed to Mr. Lilienthal's administration of the Tennessee Valley Authority as sufficient reason why he should be confirmed as head of the Atomic Energy Commission.

Misled by leaders supposed to know Mr. Lilienthal's record, Negroes sided with the liberals on the assumption that his administration would be characterized by justice and fairness.

Now we know from the two investigations of race relations made by our Trezzvant W. Anderson that whatever confidence Negroes placed in Mr. Lilienthal has been misplaced because Oak Ridge, the atomic capital, could not be a worse jim-crow town if it were under the administration of John E. Rankin or Rev. Lycurgus Spinks, emperor of the Ku Klux Klan.

Since Mr. Lilienthal was so widely hailed as the supreme champion of civil rights, was also informed but he has taken no more action than Mr. Lilienthal who has kicked the civil rights program in the face.

It should be pointed out that neither the President nor Mr. Lilienthal ever did anything about the jim crow which is rife on the TVA and still is.

What we would all like to know is why the same people who fought for Mr. Lilienthal's confirmation as AEC head on the ground of his liberalism are now silent in the face of The Pittsburgh Courier's expose?

When does a liberal cease to be a liberal, and why do not the liberal friends of such a liberal protest when he ceases to be liberal?

Is Mr. Lilienthal such a sacred cow that he is above criticism even when he acts

like a Kluxer?

Finally, what is President Truman going to do about this clear violation of the spirit and letter of his civil rights program?

Tennessee

Oak Ridge Discriminations Disapproved by Members Of Joint Committee of Solons

Pittsburgh Pg. Courier

38a Tenn.

By LEM GRAVES Jr.
(Courier Washington Correspondent)

WASHINGTON—Two members of the Joint Congressional Committee on Atomic Energy, one a Republican and the other a Democrat, last week expressed disapproval of conditions of jim crow and discrimination on the Federally owned Oak Ridge, Tenn. reservation and promised The Courier that the joint committee would investigate the conditions now being exposed by this newspaper.

Meanwhile, officials of the Atomic Energy Commission here have asked for additional time to draw up answers to ten specific questions, concerning Oak Ridge jim crow, asked of AEC Chairman David Lilienthal by this newspaper. The answers were promised for last Friday afternoon, but AEC officials informed The Courier that some of the information necessary to answer the ten questions could not be secured until Wednesday of this week.

Senator Brian McMahon (D., Conn.), chairman of the Joint Senate and House Committee on Atomic Energy, told The Courier that he did not believe that segregation and discrimination should be permitted in a Government-operated community and that such a policy was not consistent with the established policy of the United States Government. He asked that The Courier supply him with detailed information on conditions affecting Negroes at Oak Ridge, one of the nation's largest atomic energy reservations.

TO REQUEST PROBE

Senator McMahon said that he would first forward the charges to the Atomic Energy Commission and request immediate investigation and report on the validity of the allegations made in The Courier expose. Following this, he said, he would bring the matter before the Joint Committee for Congressional consideration.

At the same time, Senator Bourke Hickenlooper (R., Iowa), outspoken critic of the Lilienthal administration of the Atomic Energy Commission and leader of the current investigation of AEC, strongly denounced the existence of discriminatory practices at Oak Ridge. He, too, promised to call the attention of the Joint Committee to the charges made in The Courier expose.

Senator Hickenlooped said: "I do not, of course, believe that racial segregation and discrimination should be permitted anywhere in this country. But I certainly do not believe that an agency of the Federal Goevrnment can be permitted to indulge in such practices in communities which the Federal Government operates exclusive of local or state authority, whether the towns happen to be in the North or South.

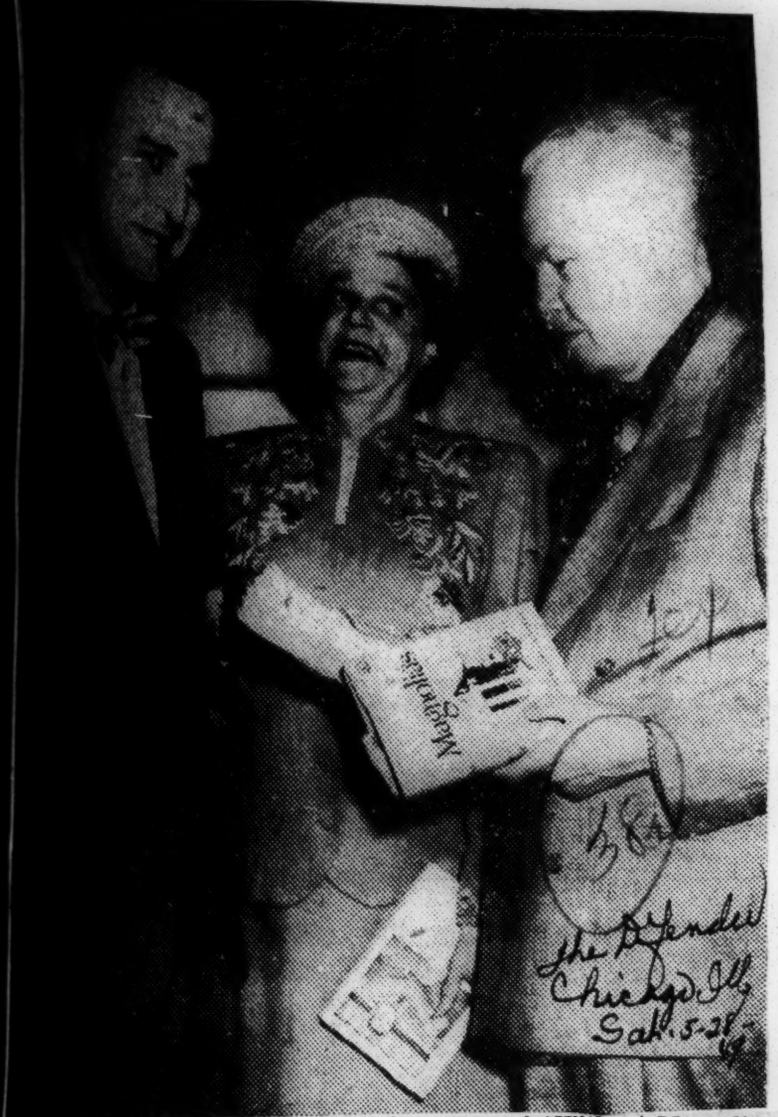
"The Atomic Energy Commission is operating on the tax funds contributed by every American and is charged with doing a job for the Federal Government. I do not believe that the job has been done well, and I will be glad to bring this matter up for investigation at the appropriate time."

COURIER POSITION EXPLAINED

In interviewing Senators McMahon and Hickenlooper and in preparing the required questions for a possible interview with Mr. Lilienthal, The Courier explained that it took the position that jim-crow conditions in a Federal Government operation were inconsistent with stated Federal policy as enunciated by President Truman in his many speeches and statements on civil rights and by the Justice Department in its amicus curiae brief in the restrictive covenant cases before the Supreme Court.

These men were asked if such conditions would be permitted to continue at Oak Ridge.

Senators McMahon and Hickenlooper, the ranking representatives of their parties on the Joint Committee, said such conditions should not exist. Mr. Lilienthal's answer was not available at press time, but will be reported in this newspaper next week.



PRESENTATION: Bucklin Moon, left, author of "Without Magnolias," presents the manuscript of the new novel to Carl Van Vechten, to be added to the materials by and about the Negro in the James Weldon Johnson Collection at Yale University. Center, is Mrs. James Weldon Johnson.

'Impossible' To Admit Negroes, Says Texas Park Official; Suit Expected

By DEE FREDERICK

TYLER, Tex. — The ludicrous and devious by-paths of logic into which racial prejudice forces the average Southern white man was illustrated here this week by Gordon K. Shearer, executive secretary of the Texas State Parks Board, Austin, when, replying to a demand by Tyler Negroes that they be allowed the use of the Tyler State Park, he took the position that such a thing was "impossible" and suggested, quite gravely and seriously, that Texas Negroes ask the Federal Government to construct a park for them in Texas.

What principally arouses amusement is that Shearer is a well-known States Righter, and does, did and would scream himself purple at the horrible notion that the pious South cannot handle its own "Negro problem", without Federal "intervention."

His attitude places him in the same category with another Southern white man, unfortunately unnamed, who, on hearing Booker Washington speak, is said to have emotionally approached Mr. Washington and stated loudly that he considered Mr. Washington the greatest American alive. Upon Mr. Washington's demurrer in favor of the then President Theodore Roosevelt, this paragon of logic, Mr. Shearer's counterpart, snorted, "Who, HIM? I ain't had no use for him since he had you for lunch at the White House!"

"No Segregated Toilets"

Demand of the Tyler State Park use by Negroes had been addressed to Shearer by T. R. Register, head of the Tyler Negro Chamber of Commerce. Mr. Shearer's principal reasons why this was "impossible" were because, "when the park was constructed there was no provision made for segregated toilets, and it would endanger public health to permit use of the park by persons for whom no sanitary facilities had been provided," and, "there is always the possibility of a clash occurring between park patrons if the park is used by members of the white and Negro races."

For relief, Mr. Shearer suggested that Texas Negroes appeal to the office of the U. S. Engineers, Galveston. Quoting from his letter:

"Park Board members have endeavored to provide a State Park for Negroes. An area was set aside for this purpose at Bastrop State Park but those requesting it reported that they found it could not be provided with swimming and some other facilities, except at prohibitive cost.

"There is, however," concluded Mr. Shearer, "a provision for recreational areas in the Rivers and Harbors law and at discretion of the U. S. Secretary of the Interior they may be leased at nominal rates to any sub-division of government or to private non-profit organizations. We have told the Engineers' Office that we will waive any priority for any area they set up and wish to lease to a Negro organization."

Expect Legal Trouble

Indication that Mr. Shearer's lack of logic just may lead his state into a mess of legal trouble is suggested by the fact that Mr. Register immediately referred the park official's letter to NAACP Regional Special Counsel U. Simpson Tate in Dallas, who at once asked Attorney General Price Daniel for a clarification of the law and at the same time wrote Mr. Shearer:

"As we understand it, the Texas State Park Board has authority to provide park facilities for the general public. If it insists on the luxury of segregation, it must assume the burden of providing, at any cost, equal accommodations for the persons or group segregated.

"It appears that the Texas State Park Board has authority to make such rules and regulations as are necessary to perform its lawful duty, so long as its rules and regulations are not in conflict with the law. If your letter is declarative of the rules and regulations of the Texas State Park Board, its rules and regulations are clearly in conflict with the law, and they are therefore void.

"We urge you to bring this matter to the attention of the Texas State Park Board to the end that the facilities of the Tyler State Park and the facilities of other parks operated by the State of Texas may be made available to all citizens of the State of Texas regardless of race or creed."

Jail 17 Who Break Jim Crow Law

SAN ANTONIO, Texas — When an interracial party including servicemen and a WAC was raided here recently and all 17 participants carted off to jail, military police said that so far as the army was concerned the soldiers involved had committed no offense.

It all happened when a crowd gathered outside a white tavern and complained of whites and Negroes dancing together. Involved were two colored women, one a Wac, and two colored soldiers. The remainder of the party was white. They were all arrested and booked temporarily on charges of violating the state segregation law.

After several hours the police chief ordered the civilian released and the 16 soldiers were turned over to Fourth Army headquarters. Only one of the group was from Texas.

Police Chief Gamchissel called the incident "regrettable," and stated an investigation would be made as to what went on at the tavern.

Educational Methods Not The Answer, Mitchell Says

NORFOLK — Declaring that the end of segregation and discrimination will never come about in the United States by voluntary educational methods, Clarence Mitchell, NAACP labor secretary, here last week said that these injustices will only be overcome through the efforts and sacrifices of determined individuals who rise up against them.

Mr. Mitchell was one of two speakers featured at the Saturday evening session of the 14th annual convention of the Virginia State Conference of the National Association for the Advancement of Colored People at Shiloh Baptist Church.

Also featured on the program was Capt. C. A. Dillavon, personnel officer, Fifth Naval District. Both speakers were introduced by James D. Ragland, president, Virginia State Conference of Youth Councils and College Chapters.

Sharing the spotlight was a sketch by the Dramatic Society of the Norfolk Division of Va. State College portraying highlights of the NAACP's achievements in its forty-year struggle for civil rights.

The group was directed by Miss Salena Robinson and Stanley Wilson, of the College's English department.

WATCH FLANK ATTACKS

Referring to an article that appeared in a local daily concerning an attack on Walter White, Mr. Mitchell said that "it was a sorry thing in this day of civiliation" after a man (Mr. White had given 30 years of service to a cause, had wrecked his health and escaped a lynch mob, that he would be lynched by his own people in the columns of a newspaper.

He went on to warn not only to watch the enemies of progress who attack from the front, but also rear and flank attacks. He said that after 40 years no outside force could destroy the NAACP, but only the things that the group generates in its own hands.

Music for the gathering was furChorus under the direction of Mrs. Mandonia O. Porter.

Va. Equality Suit Settled

NEWPORT NEWS, Va. — One of many anti-discrimination suits on file in Virginia was dismissed as settled here in Federal District Court and it was reported that the basis of the settlement was improvement of recreational facilities for Negroes by the Newport News city government.

The suit was filed in November, 1947, by Bernard L. Watkins and James L. Hill, but was never tried. Watkins and Hill asked the court for a declaratory judgment to open recreational facilities for whites to Negroes, or for an order to compel the city administration to provide recreational facilities for Negroes equal to such facilities furnished white citizens.

The basis for settlement of the suit was said to have been the opening by the city last July of the new Dorie Miller Recreation Center for Negroes plus improvements to the city's 15-acre park for Negroes on Hampton Roads.

Virginia

Va. Store Denies Professor Service

Pitt. 1-8-49

Dr. Gloster Protests Discriminatory Act

The Pittsburgh American

HAMPTON, Va.—Dr. Hugh M. Gloster, professor of English and chairman of the Department of Language and Literature at Hampton Institute, has reported that he and members of his family were denied service in the shoe department of one of Norfolk's (Va.) leading stores.

In a letter of protest to the manager of Smith and Welton Department Store, Dr. Gloster declared that when he and his wife took their two little girls to the shoe department on Christmas Eve, the clerk told them:

"We have no accommodations in this store for selling shoes to colored children." He added that it was the policy of the store not to serve colored persons in that section.

Baltimore, Md.

Poisons Minds

Dr. Gloster in his letter to the store owners, pointed out that such a policy was poisoning the minds of colored citizens, creating hatred and bitterness in the hearts of fellow Americans who might be their friends; giving the rest of the country further evidence of the bigotry of the South, and showing other countries of the world another example of the glaring disparity between what America says and what it does about democracy.

He added that other decent, fair-minded Americans, irrespective of race, will increasingly avoid and boycott stores that violate in practice the democratic creed of equal services to all citizens.

1-8-49

Judge Rules Against Points In Nash Suit

Washington Afro-American

9-8-49

ALEXANDRIA, Va.—(ANP)—Mrs. Helen Nash of Washington, D. C. lost out on five counts in federal court last week in her $58,000 damage suit against Air Terminal Services, Inc., operators of the D. C. airport restaurants which refused her service February 17,1947,because she was a Negro.

38a-VA

U. S. District Judge Albert V. Bryan ruled that segregation does not violate the U. S. constitution in dismissing the fiye counts. He did however maintain one count--the charge that the restaurant did not offer her eating facilities equal to those provided white patrons, for which she is asking $10,000.

In dismissing the other counts, the judge said they hinged on the fact that segregation was unconstitutional. Last year ,the Civil Aeronautics administration ordered segregation ended at the airport

38a 1949

Virginia

Order: Address Race Mr., Mrs. N

RICHMOND, Va. — Negro patients and visitors will be addressed by their formal titles, Mr., Mrs., or Miss, by all hospital personnel, including doctors and nurses attached to the Medical College of Virginia, C. P. Cardwell, jr., director of the medical center, said last week.

Cardwell made his statement in a letter answering a protest by W. Lester Banks, executive secretary of the Virginia state conference NAACP, that personnel at the St. Philip hospital had a habit of calling colored patients and visitors by their first names rather than their formal titles.

Hazel Scott Barred From Coast Cafe

The St. Louis Argus
38 a St. Louis Mo.

SPOKANE, Wash., Feb. 14 — Hazel Scott, wife of Congressman Adam Clayton Powell and famed boogie-woogie pianist, here for a recital, was denied service in a restaurant at Pasco, Wash., Monday. Fri. 2-18-44

Miss Scott said she and her secretary, Mrs. Eunice Wolfe, arrived in Pasco by bus from Pendleton, Ore., and went into a restaurant to eat. Fri. 2-18-44

"The waitress started to take our orders," she told a reporter. "Mrs. Wolfe ordered soup and then the waitress said: 'Oh, I'm sorry, we don't serve colored people.' I then insisted on seeing the manager and asked him if it were true. He said yes it was." Fri. 2-18-44

She said she complained to the police and was told the management had every right to refuse to serve her. Fri. 2-18-44

Hazel Scott Wins First Round In Racial Suit

SPOKANE, Wash., Dec. 31—(AP)—Hazel Scott, the Negro pianist, has won the first round in her $50,000 racial discrimination suit against a Pasco, Wash., restaurant owner.

Federal Judge Sam Driver Friday denied a defense motion to dismiss the suit brought against Mr. and Mrs. Harry Utz.

THE JUDGE ruled that restaurants are included in a 1909 state civil rights law that makes it a misdemeanor to show discrimination in "any place of public accommodation."

Miss Scott charges in the suit that she was refused service in the Utz restaurant last February because she is colored. She was en route here for a concert when her bus stopped at Pasco for lunch.

Defense attorneys argued in filing the dismissal motion that it was not a question of racial discrimination, but a matter of freedom to contract.

Miss Scott is the wife of Rep. Adam C. Powell (D., N. Y.).

$25,000 Asked In Travel Suit

Norfolk Va.

RICHMOND, Va.—The case of William C. Chance, of Parmele, N. C., against Atlantic Coast Line Railroad and A. S. Lambeth, one of the railroad's conductors, for $25,000 damages will be heard by a jury in Federal District Court Monday.

The case involves racial segregation of passengers in interstate travel. Mr. Chance, high school principal, contends he was ejected from a train and jailed because he declined to comply with a race segregation rule.

Jan 4-10-49

His complaint avers that on June 25, 1948, as he returned from Philadelphia to Rocky Mount, N. C., he was unlawfully requested in Richmond to move from the seat which he occupied to another coach. This request was because of his race, and he refused to move.

Jan 4-18-49

When the train reached Emporia, the conductor swore out a warrant charging the school principal with disorderly conduct. Mr. Chance was locked up by Emporia police.

The case was dismissed in Trial Justice Court, when the conductor explained he was satisfied with the defendant's removal from the train and asked that the warrant be withdrawn.

The railroad has denied an allegation of the complainant to the effect that the Negro coach on the train was less comfortable than the white.

Woman Gets $250 From Railroad

Atlanta Constitution

Atlanta Georgia

MEMPHIS, Tenn.—(AP)—Mrs. Roy T. Roberts, 33, who testified that she was forced to ride from Chicago to Memphis in a coach filled with Negroes, was awarded a $250 judgment in Circuit Court yesterday.

Jan 28-49

Mrs. Roberts, of Ypsilanti, Mich., and Memphis, had sued the Illinois Central Railroad for $20,000, charging slander.

Judge Harry Adams charged the jury not to consider the slander count, saying Illinois and Kentucky laws do not provide that it's slander to call someone a Negro.

Mrs. Roberts, born in Brookland, Ark., testified that the conductor had refused to let her and her small daughter leave the coach when she asked to ride in a coach for white passengers.

The conductor, C. N. Melton, denied the incident occurred. Mrs. Roberts, who said she is one-eighth Indian, said it took place last June 13.

Segregation Case Jury Undecided

Washington Post

Washington D.C.

Richmond, Va., March 31 (AP). A jury was unable to reach a verdict in the Chance railroad segregation case in Federal District Court here today.

Judge Sterling Hutcheson sent the jury home and ordered it back at 10 a. m. tomorrow to resume its deliberations.

The all-white jury had listened t othree and one-half days of testimony and argument on a $25,000 damage suit brought by William C. Chance, Negro school principal, of Parmele, N. C., against the Atlantic Coast Line Raliroad and Alva S. Lambeth, an ACL conductor.

Fri. 4-1-49

Chance charged he was ejected from an ACL train in Emporia, Va., on June 25, 1948, when he refused to move from his seat in a passenger coach for whites to a coach reserved for Negroes.

He said Emporia police took him from the train, on which he was traveling from Washington to North Carolina, at Lambeth's request. Chance further charged he was arrested on a disorderyl conduct warrant and later released on bond.

Fri. 4-1-49

$50 Awarded in $25,000 Jim-Crow R.R. Suit in Va.

38

Afro American

Sat. 4-9-49

RICHMOND, Va.—(NNPA) — Nominal damages of $50 were awarded William C. Chance, school principal of Palmele, N.C., as the result of a "special verdict" returned last Friday by an all-white jury in the Federal District Court here. The trial lasted for three and a half days.

Baltimore, Md.

Federal District Judge Sterling Hutcheson directed the jury to arrive at a "sepcial verdict" after it had deliberated part of last Thursday afternoon and Friday morning without being able to agree on a general verdict.

Chance brought suit against the Atlantic Coast Line Railroad and Alva S. Lambeth, and ACL conductor. He sought $25,000 for being forcibly removed from an ACL train at Emporia, Va., June 25, 1948, when he refused to move to a jim-corw coach.

Trial of the bizarre but highly interesting suit brought an array of witnesses about evenly divided for and against recial segregation, and presented the spectacle of a battery of attorneys arguing "custom and tradition" instead of law.

Judge Hutcheson reduced the case to its simplest terms by asking the jurors to supply the answers to three questions, two of which they answered but failed to agree on the third.

They were:

(1) Was Mr. Chance removed from the train because he violated the State segregation law? (2) was he ejected because of his violation of a segregation rule of the railroad and was that rule reasonably enforced? and (3) did the railroad conductor cause his arrest on a charge of disorderly conduct?

Company Rule

The jury decided that the passenger was removed from the train because of his violation of a company rule reguiring segregation. The court then asked the jurors to determine the proper amount of damages. Their verdict was $50 damages.

NAACP attorneys for Mr. Chance asked the court to order a new trial and set aside the $50 special verdict. These motions and others were taken under advisement by Judge Hutcheson who gave lawyers 10 days to file new motions.

Sat 4-9-49

Peculiar aspect of the case was that the railroad's attorneys based their case entirely upon the contention that racial segregation is the custom and tradition of Virginia and the railroad has a right to enforce segregation.

Woman Says She Was Forced To Ride With Negro Travelers

Montgomery Advertiser

Fri 1-28-49

MEMPHIS, TENN., Jan. 27—(AP)—A Southern-born woman testified today that she was forced to ride in a coach filled with Negro passengers from Chicago to Memphis last July. She asked $20,000 from the railroad.

The testimony was given by Mrs. Roy Thomas Roberts, 33, of Memphis and Ypsilanti, Mich., in her slander suit against the Illinois Central Railroad.

Montgomery Ala.

The slim brunet said in criminal court that she is one-eighth Cherokee Indian but had never before been mistaken "for a colored person." She said she was born in Brooklyn, Ark.

Mrs. Roberts gave this testimony:

She went to Ypsilanti about a year ago to be with her mother while her husband was overseas. When she and her small daughter started here to visit a friend the conductor at Chicago put them in a coach filled with Negroes except for themselves.

At Cairo, Ill., she protested to the conductor and asked to be moved. When he refused, she started to leave only to be told: "Sit down—you're where you belong."

Fri 1-28-49

Later, she got no action after appealing to a porter. She said she was "greatly humiliated and embarrassed."

The judge overruled a motion by railroad attorney for a directed verdict. The railroad attorney said in his motion that Mrs. Roberts is not a bona fide resident of Memphis "and brought action here to get a prejudiced jury."

R.R. Dining Car Issue Carried to Supreme Court

Baltimore Afro American

Fri 11-11-49

WASHINGTON (NNPA) — The tory against colored passengers in question of whether segregation on smuch as they are denied service lining cars is an unfair discrimi- at any dining table which may be nation was brought to the U.S. Su- vacant preme Court last Friday.

Mr. Henderson's complaint is Elmer W. Henderson, director of based on the refusal of the South- the American Council on Human ern to allow him to be served at Relations, asked the high tribunal any vacant table in the dining ca to review the decision of the U.S. on May 17, 1942. At the time, he District Court for Maryland up- was field examiner for the Presi holding a Southern Railway regu- dent's FEPC Committee and was lation requiring that colored pas- en route to Atlanta on official Gov sengers be partitioned off from ernment business. other travelers in its dining cars. One of the main questions asked The Southern reserves one table in the appeal is whether there is for colored passengers, next to the conflict between the approved prac kitchen and separated from the tice of racial segregation and the rest of the dining car by a wooden decision of the Supreme Court in partition. the Irene Morgan case holding un- Mr. Henderson, who filed his constitutional racial segregation in original complaint on Oct. 19, 1942, interstate bus travel. contends that this arrangement is unconstitutional and discrimina-

Does Segregation Violate The Basic Rights Of Negroes? Supreme Court Agrees To Decide

Montgomery Advertiser
Montgomery Ala.

WASHINGTON, March 14 — (AP)— The Supreme Court agreed today to decide whether segregation violates the basic rights of a Negro.

It will review the contention of a Baltimore Negro that "inequality invariably accompanies segregation."

Jan. 3-15-49

The action comes at a time when a filibuster is raging in the Senate as part of a Southern effort to forestall any administration effort to push civil rights bills, or anti-discrimination bills, through.

The decision the high court will review was handed down by a special three-judge federal district court in Baltimore involving a damage suit filed by Elmer W. Henderson in 1942.

That court upheld, two to one, a policy adopted by Southern railroads of setting aside for Negroes a table or two in curtained or partitioned section at the kitchen end of dining cars.

The majority of the Baltimore court ruled that racial segregation is not forbidden by the Constitution, the Interstate Commerce Act or any other act of Congress "as long as there is no real inequality of treatment of those of different aces."

Judge Morris A. Soper who dissented, declared: "Discrimination exists whenever a member of one race is denied service available to a member of another."

In another case involving the race question, the Supreme Court in effect upheld the claims of a group of Negro locomotive firemen that a union and three railroads sought to deny them promotion rights.

The case is snarled up in several federal courts, and the high court refused to interfere.

The Negroes first won an injunction against the Seaboard Air Line Railroad and the Brotherhood of Locomotive Firemen and Enginemen. The district court at Norfolk enjoined the union and the railroads from discriminating against Negroes in Diesel engine service.

Later the Negroes filed another suit in federal court in Washington, contending that proposed changes in a collective bargaining agreement were directed against them. This suit named the Atlantic Coast Line and the Southern Railway, as well as the Seaboard and the brotherhood.

The local court granted a temporary injunction. The Norfolk court then directed the Negroes to drop the case in the Washington court. But the U. S. Court of Appeals at Richmond reversed that order. It held that the filing of the case here would not interfere with the Norfolk action.

The Supreme Court's refusal to review the case has the effect of upholding the circuit court's action.

The dining car segregation case closely parallels another which the Supreme Court was asked to review on March 3. It has not yet said whether it will.

G. W. McLaurin, a Negro student at the University of Oklahoma, asked the court to order the school to permit him to study with white students on a non-segregated basis.

Jan. 3-15-49

McLaurin complained he has been required to sit in anterooms, taking part in classwork through an open door, and that he has been barred from main areas of the library and cafeteria. He is the first Negro to attend the school.

Some Will Serve Road Gang Sentences For Segregation Test

The Journal and Guide Norfolk, Va., Sat. 3-26-49

Part of the interracial group which set out in April, 1947, for a bus trip through the South to determine whether Southern states were adhering to a 1946 decision of the U. S. Supreme Court banning jim crow in interstate travel. From left to right: Worth Randle, Wallace Nelson, the Rev. Ernest Bromley, James Peck, Igal Roodenko, Bayard Rustin, Joseph Felmet, the Rev. George Houser, and Andrew Johnson. Roodenko, Rustin, Felmet and Johnson are the men who are going to serve 30-day sentences on the road gang. 3-26-49

Introduce Anti-Jim Crow Travel Bill In Congress

Atlanta Daily World
Atlanta, Ga.

Jan. 3-15-49

WASHINGTON— At the request of the National Association for the Advancement of Colored People, Senator Warren G. Magnuson (D.-Wash.) last week introduced a bill designed to prohibit the segregation of passengers in interstate travel.

Congresssional action is being urged by the NAACP on grounds that railroads and other interstate carriers have been taking advantage of a loophole in the decision of the United States Supreme Court in the Irene Morgan case which failed to prohibit companies from making and enforcing Jim Crow regulations. 3-13-49

Leslie Perry, administrative assistant of the Washington bureau of the NAACP, observed that this is the first time anti-Jim Crow travel legislation has been introduced in the Senate and declared that the NAACP "will push for early hearings." 3-13-49

The Magnuson bill, which would outlaw segregation in trains, buses dining cars and railroad station restaurants serving interstate passengers, has been referred to the Senate Committee on Interstate and Foreign Commerce. Similar bills have been introduced in the House by Reps. Adam Clayton Powell, Jr., and Isidore Dollinger, both Democrats of New York.

Trouble On Trolleys

(FROM BIRMINGHAM WORLD)

Of late Negro passengers riding public buses and streetcars have had serious trouble in Birmingham. One man is dead of bullet wounds. A young woman is wearing bandages on her head.

The circumstances surrounding these cases are disturbing and call for sound, constructive, decisive action. Operators and conductors on local buses and streetcars have police power. They carry guns. Power is left with them to handle the public carriers on which they work. Many of them do not seem to be conscious of their obligations to all of the riding public.

Often these streetcar conductors and operators seem to be inclined to enforce their prejudices, to force conditions on one set of passengers differently from those imposed on others.

Negro passengers at times are forced to enter the side door of buses. Should any be hurt in doing this, who would be blamed? Could this be equal accommodation? Should any passenger resent such treatment, what would be the reactions of the trolley or bus officials?

Birmingham has one of the worst urban transportation systems in the South. No matter how a disturbance arises, if a Negro is involved, nearly always the blame is laid on him. He must bear, often unjustly, the brunt of punishment. The black man stands friendless almost everywhere in the process.

The outrageous attack by a man on a young school teacher trying to board a bus a few days ago is the most revolting and bestial act that has come to the attention of this newspaper recently. The woman was beaten by an assailant and later fined by the court. To us this represents the unkindest sort of miscarriage of justice.

What shocks us is the implication, by the court's decision, that there are circumstances and conditions under which one passenger may be justified in beating up another passenger. That, as somewhat of a control measure, a man of a strong group has a right to attack a person of a despised group. Our law, properly interpreted and administered, not only frowns upon such faulty concepts, but is in formidable opposition to them.

To the humblest, most downtrodden, every court in the process of American justice, should stand as a flaming champion of the rights of the weak and unpopular.

Beyond this, is something much more important. Lost of respect for womanhood of one group leads to disrespect of womanhood of any group. When a woman within her rights cannot seek protection, irrespective of her station or origin, manhood begins to degenerate.

Individuals who ride public carriers should raeilze that such modes of transportation are not private ways of travel. Each who ride the public way should strive to respect the rights of the other.

Public carriers have a responsibility and duty to all of their riders alike. A way must be found to impress this upon the carrier officials. Wrongs allowed to sour into injustice one day will break loose. Injustice is no redress for injustice.

Stop this trouble on trolleys.

Teacher Fined For Mixup With Man Boarding Bus

BIRMINGHAM, Ala. — (SNS) — A spare-made, humble-looking, head-bandaged city school supply-list teacher Tuesday night was fined $25.00 and $3.00 cost in Recorder's Court after a white man, about 200 lbs., had testified that he beat off her attacks as the teacher pushed him in trying to board a BECO bus.

Miss Annie Mae Lyas of 305 44th Place, North, the victim testified before City Judge O. B. Hall that as she tried to get on a bus at First Avenue and 50th street, North, a man identified as C. P. Rutherford, said to be an employee of The Birmingham News-Age Herald, struck her several times. The incident occurred, Miss Lyas said about 2:50 p. m., November 21.

She, Miss Lyas testified that Mr. Rutherford, ni a leaning block of the door, hesitated as he mounted the steps of the bus, looked back at her inquiring, don't try to push by me. She said she told him you should move on into the bus. Mr. Rutherford, in a leaning block of struck her as she was looking down to see where to place her foot on the bus step.

The court exonerated Mr. Rutherford of charges of assault with a weapon. On the other hand, Miss Byas, whose wounds received stitches, was found guilty on charges of assault and battery. She did not appeal.

Mr. Rutherford testified that on getting on the board he stood against the door, let some white women and a white man enter, then "that girl tried to push by me." He said that when she came after me" he began hittig her with what he had in his hand. "She kept coming after me" he said and he beat her off.

The bus operator, who said that he knew Mr. Rutherford, testified, that Mr. Rutherford hit the teacher with a blackjack. Mr. Rutherford denied using a blackjack.

On cross-examination, Mr. Rutherford admitted that he had been to the office of Police Commissioner Eugene (Bull) Connor to complain about the bus situation where he said Negroes were pushing white people in boarding the bus.

"Jesus, stop this man. Call the ambulance." Other witnesses said that they heard Miss Lyas cry. Witnesses sad that she was bloody and they saw her pass no licks at Mr. Rutherford. However, Mr. Rutherford testified that his wrist watch band was broken, his face and neck cut or scratched.

Other witnesses listed were J. H. Harris, of 4620 7th Court, South; L. B. Harper, 622 South 54th Street; John Marcus, Route 6, Box 360; Henry Logue, Irondale; Mrs. Grady Webb, 2151 East Lake Boulevard and Samuel W. Givens Daniel Payne College.

Mobile Bus Drivers Prove It

Dixie 'Justice' Has Two Heads; 1 White, 1 Negro

Pittsburg Courier
Pittsburg Pennsylvania

(Special to The Courier)

MOBILE, Ala.—Those who express beautiful stories about the extent of improvement in the South's race relations may get a true look in on the way Dixie justice works by comparing two incidents which involved Mobile city bus drivers with passengers—one white (a man) and the other Negro (a woman).

A 28-year-old city bus driver was fined $250 and costs, or ninety days in jail in Recorder's Court Wednesday, after being charged with striking a white male passenger on a bus.

ASSAULT CHARGED

Van McInnis, the bus driver, was charged with assault and battery for allegedly striking Lloyd C. Palmer, white, because the latter did not move back far enough in a crowded bus to suit the driver.

On the other hand, several months ago Mrs. Marie Gayle, a 23-year-old colored woman, was fined $25 and costs by the same judge—William Bekurs—in Recorder's Court on a disorderly conduct charge after Bus Driver Clarence J. McCarn, viciously assaulted her with a ticket punch, bathing her in her own blood, because she refused to give up her seat to white passengers and stand in a crowded bus.

ENTITLED TO SEAT

Under the law she was entitled to retain the seat she occupied in the motor coach.

The 35-year-old bus driver used his ticket punch as a weapon to beat the little 110-pond woman about the head until blood colored her dress and hose crimson. He also shattered her glasses in her face during the attack.

Police employed a well-devised technique when whites are at fault in affrays involving the races by arresting both Mrs. Gayle and McCarn on disorderly conduct charges.

Bekurs fined her $25 and costs just as he levied against McCarn.

An appeal to the Circuit Court won the "white supremacy" exponent of Dixie "chivalry" his freedom by an all-white jury "tried and true."

An apparently disgusted Circuit Court judge, ashamed of the miscarriage of justice, then dismissed charges against Mrs. Gayle without [illegible] trial.

2 Get Bitter Taste Of Dixie

MONTGOMERY, Ala.—Two youngsters from New Jersey who did not know of Dixie segregation got first-hand knowledge, one of them allegedly in a brutal manner, here last week.

Marshall Johnson, 15, and his sister, Edwina, 16, boarded a bus and took seats reserved for whites.

The bus driver, angered over such boldness in Montgomery, drew his pistol during an argument with the teen-agers and as the children were leaving the carrier, he allegedly kicked the girl.

They were arrested and later released on probation. Judge Wiley C. Hill, Jr., stated that he could have committed them to the state reform school here until 21 years of age.

'Didn't Know the Law'

'Bama Judge Gives Jersey Pair Respite

The Courier, Pittsburgh, Pa.

MONTGOMERY, Ala.—(ANP)—Marshall Johnson, 15, and his sister, Edwina, 16, escaped being committed to the Alabama State Reform School until they are 21 here last week after they had been found guilty of violating segregation laws on a city bus.

The two youngsters who were visiting the city from their home in Newark, N. J., were placed on probation by Judge Wiley C. Hill Jr., upon a plea that they did not know about the racial statues.

They were arrested after being ordered off a city bus by the driver, who testified they were sitting in the section reserved for whites. The youths told the judge they were on their first visit to the South and did not know the races were segregated. Judge Hill said he was empowered to commit them to the State reform school until they were 21, but granted them probation because he felt they had realized their mistake.

Marshall had testified that the bus driver kicked his sister off the bus during the argument over seating. The driver, however, said he pushed the girl off. Both left the bus station when the driver drew his pistol.

Conductor & Negro Charged With Assault

BIRMINGHAM, ALA., Nov. 21—(AP)—A streetcar conductor and a Negro he is accused of shooting on his car both were charged today with assault with intent to murder.

Detective Capt. C. L. Pierce said the warrants were sworn to against Conductor M. A. Weeks and Samuel Lee Williams, 34, Negro.

The shooting, Pierce said, followed an argument and scuffle when Williams took a seat in a section reserved for whites last night.

Passenger Talks Back, Ala. Conductor Shoots 3

Afro American

BIRMINGHAM—Because a passenger dared talk back to him, a white streetcar conductor on Sunday went on a shooting rampage, seriously wounding the one who provoked him and injuring two others.

The conductor is M. A. Week, 30, who was working on the Pratt City-Ensley line, which is heavily used by colored riders. The seriously injured man is Samuel L. Williams, 34, of 133 16th Ave. West, who was shot in the abdomen.

No Signs Up

The shooting occurred on Eighth Avenue North between 15th and 16th Sts. Williams took a seat in the unmarked white section of the trolley as there were no jim-crow board up.

When the conductor asked Williams to move, Amos Crosby, 24, of 108 4th Ave. South rose and gave him his seat. According to witnesses, Weeks then walked back into the "colored" section and began a verbal attack on Williams.

Weeks allegedly said "black 'n—r; what are you doing talking back to me?" After that, he drew his pistol and fired several times, the bullets hitting Williams, Crosby and John Garlington, 18, of 40 4th Ave., North. The passengers fled in terror from the crowded trolley.

Williams is said to have grabbed Week's arm after the conductor whipped out his gun, thus deflecting the shots and preventing any fatalities.

Not the First Time

During the shooting, passengers leaped from windows of the trolley in panic.

Weeks was held for questioning, while the three wounded passnegers went to the hospital for treatment.

Civic leaders here identified Weeks as the conductor who shot Timothy Hood of the U. S. Marines on a Bessemer-bound streetcar in February of 1947.

WHITE YOUTH BUCKS ALABAMA SEGREGATION; FINED 56 DOLLARS

Defendant Admits He Cursed Bus Driver Who Sought to Oust Him From Negro Section

Beach Dispatch

COURT SAYS JIM CROW HERE TO STAY

BIRMINGHAM, Ala. —(ANP)— William Robert Campbell, 19-year-old white youth, found his ride on an Edgewood trolly bus a costly one here Tuesday night. Campbell had to fork over $56 on addition to his dime fare—the $56 representing fines and court costs for bucking city's segregation laws.

Campbell boarded a crowded bus about 11:20 p. m., and sat down in the section reserved for Negroes. He was told by the bus driver to move. He went back to the seat again and this time, Police Officer C. W. Morrison ordered him to move back into the white section.

Sat. 8-13-49

According to Morrison's testimony in recorder's court, he got off the bus and while standing on the curb, saw Campbell back in the rear section. He said the youth used profanity at him out of the window. He flagged down an automobile, caught up with the bus and put Campbell under arrest. The youth, admitting returning to the rear of the bus, said he used the words in a whisper on his lips and not out loud.

Birmingham City Code

He was fined $25 plus court costs on charges of disorderly conduct and violating the segregation law.

Birmingham has the worst jim crow laws in the state, so far as urban carriers are concerned. Bus and streetcar operators have police power to enforce segregation laws on these carriers. White jimcrow violaters are being fined increasingly to let Negro citizens know that whites are required to obey the law.

Purpose of this is to try to impress upon Negroes that the segregation laws are going to stay and be obeyed, even if white people have to be fined for breaking them.

Still bus and streetcar jimcrow is unequal and therefore equal enforcement does not even up the natter—in Birmingham at least.

Negroes Homes Bombed

BIRMINGHAM, Ala.—Twice postponed, the suit challenging the entire Birmingham racial zoning system is set for Monday morning, Dec. 12 before Federal Judge Clarence Mullins.

Several weeks ago, fifteen families with property in the contested "Smithfield area," scene of four violent midnight bombings, filed class action suits asking the Federal courts to nullify the reinforced Birmingtham racial laws.

Efforts before the suits were filed to compromise the situation was spurned by Negro leaders.

Former State Senator James A. Simpson who twice made unsuccessful bids for the U. S. Senate on the "white supremacy" issue drafted the supposedly ironclad racial zoning ordinances adopted last summer by the Birmingham City Commission.

Simpson, the state's foremost corporation lawyer, has withdrawn from the case, claiming that he was too busy to handle it.

When the new "attack proof" law, so described by one of the commissioners, was first presented, Police Commissioner Eugene (Bull) Conner, said that it was formulated by three outstanding constitutional lawyers who would defend it in court without pay.

Judge Horace C. Wilkinson, identified with the "White Supremacy League" and author of the anti-Truman pledge for Alabama delegates to the last National Democratic Convention, has succeeded Attyorney Simpson. But Attorney Wilkinson, contrary to the previous statement by Commissioner Connor, is understood to be employed for a fee.

Attorneys Arthur D. Shores, David Hood Jr., and Peter Hall of Birmingham and Thurgood Marshall of New York, special counsel for the NAACP, are representing the property owners. Shores is chief counsel in the case.

The Birmingham Branch of the NAACP, headed by Prof. A. C. MacLin is sponsoring the test suit.

CANADIANS OK CAFE BAN

Negro Barrier Voted in Uncle Tom's Town

Special to the Free Press

DRESDEN, Ont. — If "Uncle Tom" emerged reincarnated from his grave near this little farming community, he would be barred from the town's restaurants.

By a margin of five to one, residents voted to bar Negroes from the town's eating places. The race factor was the main issue in the civic election in which 2,000 ballots were cast.

RACIAL TOLERANCE has been a raging question for many months in Dresden, known as the northern terminus of the historic "Underground Railroad."

In a cleared plot just outside the town is the burial place of the original Uncle Tom of Harriet Beecher Stowe's famous novel—the Rev. Josiah Henson.

Living in the community and surrounding farms are about 600 descendants of runaway slaves.

For some time, Negroes have been barred from three of the town's five restaurants. The other two eating places had served both races without segregation.

Court Slaps Bus Jim Crow

WASHINGTON — Moving to reenforce the 1946 Supreme Court decision outlawing Virginia's Jim Crow practices on interstate buses, the State's Supreme Court by unanimous vote threw out a conviction against Norvell Lee, Olympic boxer and Howard university student, who was fined for refusing to move to a segregated car on a Chesapeake and Ohio train near Clifton Forge.

The decision, written by Justice C. Vernon Spratley reversed the Alleghaney County Circuit Court.

The opinion stated "The Federal courts in recent years have uniformly held invalid State statutes requiring segregation of the races in interstate commerce as contrary to the commerce clause of the United States Constitution."

Dixie Buses Hang 'Black Curtain'

CALHOUN, La.—This state has joined Mississippi in a new device for the violations of civil rights, a "black curtain" which partitions Negro Jim Crow seats in the back of intercity buses from those occupied by whites.

Cited as first offender is the Southern Trailway Bus company. Under the rule of the "black curtain" if all seats behind it are filled, the Negro passenger must stand for the trip regardless of how many seats may be vacant forward of the curtain.

STUDIED SYSTEM OF SEGREGATION:

Reserved Trains Now Use New Assignment

BALTIMORE

Railroads carrying passengers to the South are still segregating colored passengers in spite of the fact that it is against the law.

Observations made by AFRO reporters in two cities during the busy pre-Yuletide season last week showed that a studied system of segregation is practiced by the railroads, frequently without the knowledge of the passengers to discriminated.

The system is a subtle one, and at times difficult to trace. Here is what hapens:

If an obviously colored person goes to make a reservation in New York or any other northern city on one of the through reclining coach trains going South, he invariably is assigned to coach No. 1. This is not a "Jim Crow" coach, but on leaving Washington, no white person is seated there and all colored persons are segregated there.

Same in Chicago

The same thing happens in Chicago, on through trains to the South.

On the other hand, if the colored person secures an assignment to some other coach, which he can easily arrange, he rides in that coach until he reaches the Mason-Dixon Line. Even then, on many occasions, he is not disturbed.

On most occasions, however, he is asked to move, though not compelled if he does not want to. In other cases, though, he is forcebly removed or even arrested and fined.

In any case in the North, if he is assigned to coach No. 1, and there are seats in other coaches he can make a complaint and usually get another seat. If not, he can bring suit as any compulsory segregation would violate the State laws of New York, Pennsylvania and most northern States.

An AFRO reporter, in Newark, last week, made the following observations on the Atlantic Coast Line's reserved seat train, "The Champion," which pulls in daily at 2:35, bound for Florida with passengers assigned to seats reserved for them before the train begins its trip.

The reporter wrote:

"Although at least a third of the seats were empty, on Thursday the train was in two sections. Half of the front coach of the first section had only four colored passengers in it when the section left Newark. There were approximately 20 other colored passengers scattered through the other 10 coaches.

Assigned First Car

"The second section had 17 colored passengers in the front coach, with not more than 10 scattered through other coaches. A few of the coaches had no colored passengers in them, and none was in the dining and refreshment cars, or the observation cars.

"Six colored passengers boarded the two sections in Newark on Thursday. One of the passengers, Mrs. Altamese Maxwell, of Montville, N.J., said that this was her second trip on the train, and she was convinced that efforts were made to assign reservations to colored people in the front cars.

"She stated that many persons did not object to going to the front car because they wanted to settle down and not have to change to a jim crow in Washington.

"Three of the others who boarded the train in Newark said that this was their first time to make the trip on the reserved seat train.

"The front coaches are identical with the other coaches except for the fact that it has fixed tables which can be used for games or eating.

Curtains Drawn

"Assignment of reservations indicates that while there is some effort to group colored people, in others there is no attempt at segregation.

"An attendant on one section said that many colored people ride the train down into Florida because they were assigned seats without reference to race.

"Colored passengers are free to eat in the dining cars or use any other facilities freely until they get to Washington.

"Mrs. Maxwell said that she had noted on her first trip on the train that colored passengers had curtains drawn about their dining tables after they left Washington."

Observed in Philly

The same train was observed on a different date by an AFRO reporter in Philadelphia, who wrote:

"The train pulled into 30th St. Station at 4:31 p.m., 29 minutes late. There were about 12 coaches, one reserved for colored. I say "reserved" for colored because all the colored passengers were in this coach. I saw no restrictive signs.

"The colored coach was second from the engine. The first coach appeared to be a sleeper. The colored appeared to be comfortable, with towel-backed reclining seats and air-conditioned. It was clean.

30 Colored Riders

"The diner was not in use when the train stopped in Philadelphia, but a waiter said that colored passengers were privileged to use it. There were two bars and two club cars, but I saw no colored passengers in them.

"There was one difference in the colored coach and the others. The colored coach had two tables and round, leathere-covered seats (one on each side of the aisle) in the center of the car. These seats held about four persons each. It is probable that colored passengers could have their drinks served there.

"None of the coaches was filled when the Champion reached Philadelphia. There were about 30 colored passengers."

Observed at Richmond

In Richmond, Va., an AFRO reporter wrote:

The "Champion," all-reserved-seat Atlantic Coast Line train, arrived in Richmond Wednesday night at 10:30 (one hour late). The lounge car in front, next to baggage car, was reserved for colored passengers. It was full and no reservations were being sold to colored travelers here.

That was being done in spite of the fact that there were a number of vacant seats in cars reserved for whites. In the cars reserved for whites, I found, there were a few colored passengers. I located two in one car, three in a second and four in a third.

None in Diner

I learned, however, that these passengers boarded the train before the train reached NYC. Four of them boaded the train at Boston. The club car on the train was completely occupied by whites, except for the colored attendants.

I could get no clear picture of dining car service, passengers telling conflicting stories. However, there were no colored in the diner when the train arrived here. While most of the passengers said they had not been refused diner service, since they had not asked for it, two said they saw "the conductor" escort two passengers to the diner during the night.

Boarded Train in North

All of the seven passengers in the jim crow lounge car with whom I talked, save one, said they boarded the train either in NYC, Baltimore, Philly or Washington. One said he boarded the train "East of NYC," but had moved up to the front car on his own accord. He was in the smoker with two others.

Nt a single white person was found in the lounge or jim-crow car. One passenger asked me "what do you expect?" when I asked if he experienced any difficulty in obtaining diner service. "Maybe most of us don't want diner service," he said, adding, "We know what to expect in the South and we know we are in the South."

Ban Against JC Travel Advocated

Clark, Wilson Make Plea to House Unit

WASHINGTON (ANP)—Laws to ban segregation in interstate transportation were urged last week by Attorney General Tom Clark and Charles E. Wilson, president of the General Electric Company, and chairman of President Truman's recent civil rights commission.

Speaking at hearings by the House judiciary subcommittee, they asked Congress to "plug the gaps" in civil rights laws by stopping jim-crow travel.

Mr. Clark said such a law "will remove all doubts that public transportation facilities are available to all without distinction because of race or color."

Mr. Wilson's Views

Mr. Wilson declared: "If we modernize these statutes we can make them effective 20th century tools for the protection of civil rights."

Discussing anti-segregation laws, Mr. Wilson said:

"I strongly recommend that this legislative step be taken. Segregation is one of our nation's greatest social problems and it will not be solved overnight.

"But it seems appropriate that it remove all doubts that interstate commerce channels of interstate commerce the control of which has been the express power and responsibility of Federal Government for more than a century and a half, racial segregation should be outlawed without further delay."

Ban 'Jim Crow' Travel, Clark and Wilson Plea

WASHINGTON—(AP)—Atty. Gen. Clark and Industrial ist Charles E. Wilson teamed up yesterday in a plea to Congress to "plug the gaps" in the civil rights laws and forbid Jim Crow practices in transportation.

They testified to a House Judiciary Subcommittee. Each supported strongly a broad bill to put on the law books most of the recommendations of a Civil Rights Committee which Wilson headed.

Clark said present laws "fall far short" of supplying proper protection of "life, liberty and property." He said a "large number of our people" now live in fear and distrust.

And he proposed a new law to "remove all doubts" that interstate transportation facilities, like trains, buses and airplanes, are "available to all without distinction because of race or color."

Wilson, President of General Electric Company, said civil rights statutes," he said, "we can make inadequate and archaic" and need them effective 20th century tools for the protection of civil rights."

As to forbidding Jim Crow segregation, Wilson said:

"I strongly recommend that this legislative step be taken. Segregation is one of our nation's greatest social problems and it will not be solved overnight.

"But it seems particularly appropriate that in the channels of interstate commerce, the control of which has been the express power and responsibility of Federal Government for more than a century and a half, racial segregation should be outlawed without further delay."

Justice Dept. Hits Dining Car Ruling

By LOUIS LAUTIER

WASHINGTON, D. C.— (NNPA) —In an unusual action the Justice Department has asked the United States Supreme Court to reverse a decision of lower court and direct the Interstate Commerce Commission to prohibit railroads from furnishing dining car service to passengers on a segregated basis.

The action of the Justice Department is equivalent to a confession that the ICC and the Federal District Court at Baltimore were in error.

In its brief, filed for the United States, the Justice Department contends that the ICC's order approving the dining car regulations is invalid on constitutional and statutory grounds.

The basis of this argument is that the right of all persons to equality of accommodations while traveling on interstate carriers is a right specifically guaranteed by the Interstate Commerce Act and it cannot be denied by the Federal Government, or any of its agencies, without violating the Fifth Amendment to the Constitution.

REGULATIONS ATTACKED

The Southern Railway's regulations also are attacked as unlawful because they permit discrimination against individual passengers, white as well as colored, solely on the basis of the passenger's race or color.

The District Court upheld the validity of the regulations on the ground that the law is satisfied if separate but equal" accommodations are provded for colored passengers and that such accommodations are "equal" if they are proportionate to the average demand for dining car service by colored passengers.

This ruling is challenged by the Justice Department. The Department's brief asserts that the test to be applied to the regulations is whether they provide for service which is nondiscriminatory as between individual passengers without regard to thier race or color.

The regulations clearly fail to meet this test, the brief maintains when a colored passenger seeks service at a time when the table reserved for colored travelers is fully occupied but there are vacant seats elsewhere in the dining car, the brief points out, service which is available to other passengers is denied to him solely because of his race.

Similarly, the brief states, if a white passenger seeks service when there are vacancies only at the table reserved for colored passengers, service availbale to other passengers is withheld from him solely because he is white.

Pointing out that the regulations compelling colored passengers to be segregated from other passengers carry an indorsement df the Federal Government, the Justice Department argues that "Such legally enforced racial segregation in and of itself constitutes a discrimination and inequality of treatment prohibited by the Constituton and the Interstate Commerce Act."

LAW OF BIAS QUESTIONED

Under the regulations, persons traveling together, if they are of different color, cannot eat together regardless of their personal desires, the brief states. Even if he so wishes a white passenger is forbidden to sit at a colored table.

The point the Justice Department makes in this connection is that it is one thing to permit an indvidual to act on his personal prejudices but it is something entirely different for the law to force such prejudices upon everyone else.

Racial segregation under compulsion of law is not equality, the brief asserts. It also is argued that segregation "imports, and is designed to import, the inferiority" of colored people.

The Justice Department launches in its brief a full-scale attack on the "separate but equal" doctrine, enunciated by the Supreme Court in Plesssy vs Ferguson, decided more than fifty-three years ago and holding that segregation does not violate the Fourteenth Amendment.

The "separate but equal" doctrine does not control the issues of the case, but that doctrine, if it be deemed applicable, should be reexamined and overruled, the Justice Department argues.

In the half century since the "separate but equal" doctrine was promulgated, the brief declares, "the legal and factual assumptions upon which that doctrine rests have been undermined and refuted."

Suit Filed-Against Southern Railroad

WASHINGTON. — (ANP) — Mr. and Mrs. Andrew Joiner, last week filed suit against the Southern Railroad company for evicting their 12-year-old daughter, Shirley Jean, from the train at Greensboro, N. C., last Sunday, because she was riding a half-fare ticket.

Shirley, who lives with her parents in Washington, was enroute home after a visit with her aunt in Gastonia, N. C.

She said the conductor took her ticket and punched it without any comment, later he returned to ask her age. When she informed him that she was 12, he stated that he believed that she was older and she must either pay full fare or leave the train at the next stop, which was Greensboro.

Not having sufficient funds with her to pay the rest of the fare, Shirley was put off the train at 11:30 a. m. Not knowing anyone in Greensboro, she sat in the station and cried for awhile, then finally it occurred to her to call her aunt at Gastonic telling the incident.

Her aunt wired money to her, and she left Greensboro by bus at 6 p. m., returning to Gastonia. On the following day, she got in touch with her mother in Washington who forwarded train fare for her to return home.

Her mother, Mrs. Louise Joiner, immediately got in touch with the NAACP and the case was taken up by Houston, Houston, Hastie and Waddy, who filed suit against the Southern Railroad company last Monday.

Georgia

Bus Driver Shoots Youth As He Flees From Irate Whites

Memphis World
Memphis, Tenn.

SAVANNAH, Ga.— (SNS)— A charge of assault wi h intent to murder was booked aganst a white bus driver here Friday night when he allegedly shot a 19-year-old youth for refusing to move to the rear of a city bus.

Police identified the victim as William Byers.

Tues. 3-29-49

Upon entering the bus, Byers is said to have taken a seat near the front of the bus and was asked by the white driver, E. E. Youmans, to move to the rear.

Byers reportedly asked to be let off the bus. As he was leaving the bus a dispute was reported to have flared between him and a white passenger. Following the dispute the youth fled from the bus and hurled bricks at enraged white passengers bearing down on him, it was said.

3-29-49

Youman, according to police, fired 1 shot at the youth striking him in the body. He was being treated at a local hospital late Friday night. His condition was not disclosed.

Henderson Case

MAYS

Pittsburgh Courier

If Elmer Henderson Wins Supreme Court Battle, Segregation Gets a Death Blow

Ltr 3-22-49

By BENJAMIN E. MAYS

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of the Pittsburgh Courier. — The Editor.)

Pittsburgh Pa

EVERY Negro in the United States should be keenly interested in the Henderson case. Some years back he had an experience similar to my own. My case was in 1944. I believe Mr. Henderson's dining car experience was before mine. His case got to the court and my case has not gone beyond the Interstate Commerce Commission.

Dr. Mays

Our experiences were similar. The two tables reserved for Negroes were occupied by white passengers. There were vacant seats in the white section of the diner, but the steward would not let me sit down. He insisted that I get out and would not permit me to wait for space inside the diner. In fact, he drove me out.

It was the Henderson case aggravated by my own which prompted the Southern Railroad to partition off one four-seat table at the kitchen end of the diner which would be reserved for Negroes at all times. Right across from the Negro table is the steward's office. Even if there is no Negro on the train or if no Negro eats, this one table is still reserved for Negroes. The white section may be crowded and the people standing in line, it makes no difference. They cannot sit at that table reserved for Negroes.

If more than four Negroes appear for a meal, they must wait until the four Negroes are finished or any one of them is finished before they can eat. There may be a dozen vacant seats on the white side. It makes no difference. Negroes can eat only at this one table.

* * *

IT IS THIS situation that Mr. Henderson is taking to the United States Supreme Court. A lower court had ruled in favor of the Southern Railroad. When the Interstate Commerce Commission ruled on my case, they refused me damages but agreed that the Southern Railroad was in error for not serving me when there were vacant seats and when the section reserved for Negroes was not serving me when there were vacant seats and when the section reserved for Negroes was being occupied by whites. But since the Southern Railroad has mended its ways by providing a partitioned off section for Negroes, the Commission ruled that the case was closed. The Commission used the Henderson case as a basis for the ruling in my case. Now Mr. Henderson has gone on to the Supreme Court.

* * *

THIS CASE IS significant and the ruling of the Supreme Court will be of utmost importance. The Supreme Court will decide whether it is constitutional to segregate the races in dining cars of the Southern railroads. If the Supreme Court rules in favor of the Southern Railroad, it will be tantamount to saying that segregation is constitutional. This will be an awful decision.

The Supreme Court has never ruled on segregation per se. Every case which the Supreme Court has handed down in favor of the Negro, it has handed it down on the basis of discrimination based on race or color. It has never said whether segregation itself is or is not constitutional. As I see it, this case goes beyond discrimination. The Southern Railroad will probably attempt to prove that though segregated, the Negro has equality of service, food, space, forks, knives, spoons, and table cloths. Therefore there is no discrimination.

We have won cases where there was inequality based on race as in the equalization suits in education. But we have had no case to test the validity of segregated schools. If the Supreme Court rules in favor of Mr. Henderson, the first great legal blow will have been struck against segregation Let us hope, pray, and work that Mr. Henderson and his lawyers will win this decision. It will be a terrible thing if the highest court in the land hands down a decision favoring segregation.

IN THE NATION'S CAPITAL:

3 Cases Before High Court Test Separate-Equal Ruling

Afro American Dat. 12-3-49

By LOUIS LAUTIER

WASHINGTON (NNPA)—The United States Supreme Court next month will listen to oral arguments on the question of its "separate but equal" doctrine enunciated in the case of Plessy vs. Ferguson, decided May 18, 1896. The cases which will put this question up to the court are:

The Elmer Henderson case, which seeks to ban segregation in railroad dining cars; the McLaurin case, which seeks to have segregation within the classroom declared unconstitutional, and the Heman M. Sweatt case, which seeks to have segregation in university graduate and professional schools declared illegal.

In the Henderson case, the court may dodge the issue of whether racial segregation, under compulsion of law, is unconstitutional, by holding that the dining car regulations requiring the partitioning off of colored passengers from other passengers, subjects such passengers to discrimination and inequality of treatment forbidden by the Interstate Commerce Act.

No Way Out in 2 Cases

But there is no way for the court to decide the McLaurin and Sweatt cases without reaffirming or overturning the doctrine of the Plessy case. For that reason it may be well to review the Plessy case. Plessy, a resident of Louisiana and a citizen of mixed descent, described as seven-eights Caucasian and one-eighth African descent, was so fair that he could easily have passed for white.

On June 7, 1892, he bought a first-class passage on the East Louisiana Railway from New Orleans to Covington, La., and took a seat in the white coach. Upon his refusal to obey an order of the conductor to vacate the white coach he was taken off the train and jailed.

Jim-Crow Law Upheld

Plessy was charged with having criminally violated an act of the Louisiana General Assembly, approved July 10, 1890. This law required railroads to provide equal but separate accommodations for white and colored passengers. It provided that no colored person shall be permitted to occupy seats in white coaches, and vice versa.

Plessy pleaded that the act was unconstitutional because it was in conflict with the Federal Constitution. His contention was overruled. He asked for a writ of prohibition to enjoin the judge from proceeding to fine and sentence him. The Louisiana Supreme Court held the law constitutional.

From that decision Plessy appealed to the United States Supreme Court. Justice Henry B. Brown, a Michigander, delivering the opinion of the court, held that the Louisiana jim-crow statute did not conflict with the Thirteenth Amendment to the Constitution.

Sees Mere Color Distinction

"A statute which implies merely a legal distinction between the white and colored races—a distinction which is founded in the color of the two races, has no tendency to destroy the legal equality of the two races, or reestablish a state of involuntary servitude."

The court also held that the object of the Fourteenth Amendment "was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not be intended to abolish disinctions based upon color, or to enforce social, as distinguished from political equality.

Since this court decision times and conditions have changed. The United States continually finds itself embarrassed in its foreign relations by racial discrimination practiced in this country. As the Justice Department stated in its brief in the Henderson case:

"Racial segregation enforced by law hardly comports with the high principles to which, in the international field, we have subscribed. Our position and standing before the critical bar of world opinion are weakened if segregation not only is practiced in this country but is also condoned by Federal law.

Separate, Equal Rule Rapped

Dining Car Case Reversal Sought

WASHINGTON

In a 68-page brief, the United States Justice Department has attacked both the legal and social basis of racial segregation. On Wednesday Solicitor General Philip B. Perlman filed the brief.

By this move the Truman Administration is carrying its fight to get civil rights to the Supreme Court.

Some 50 years ago the Supreme Court ruled that if facilities were "separate but equal" they were not discriminatory. In its current petition,, the Justice Department calls this segregation doctrine "a constitutional anachronism which no longer deserves place in our law."

Public places such as schools, restaurants, theatres, etc., Washington and all over the nation for years have used the separate but equal ruling as the reason for segregation.

Queried about the suit, Atorney General J. Howard McGrath declared that he had not talked with President Truman before filing the brief because he did not think it necessary.

Work on the brief was started months ago when Tom C. Clark, now of the Supreme Court, was Attorney General.

Currently the Justice Department is the defendant in the segregation suit brought by Elmer W. Henderson, 3729 Just St., N.E. He is the director of the American Council of Human Rights.

Lower Court View

Charging that he was unable to obtain a meal on a Southern Railway train in 1942 while riding between Washington and Birmingham, Henderson brought suit. The Interstate Commerce Commission ruled against him and the District Court of Maryland upheld this ruling. He then took his case to the high court.

Now the Government itself seeks to have the decision reversed. The railroad line also is a defendant in the case.

ICC Okeys Bias

The Interstate Commerce Commission which permits segregation in railroad dining cars is also being attacked.

The Government brief which contains a number of quotations from the report of the President's Committee on Civil Rights, explains that it does not feel the Henderson case turns on the "separate, but equal" argument but that if the Supreme Court cannot decide the case without using that doctrine, it should now be re-examined and overruled.

Commenting on dining car segregation, the Government stated that the curtain which is used in the car builds up the caste system.

Upset Doctrine

Petitioning the Supreme Court to upset the separate but equal doctrine, the Justice Department asserst:

"Evasions and violations of the Constitution are gradually being eliminated. One handicap is the approval to the proposition that the Constitution could be satisfied and friction removed by a plan of separate but equal facilities.

"Experiences has shown that the required respect and status are not given under such an arrangement.

"Equal facilities, if separate, are rearely equal, even in a physical sense. In most cases they are used to hide glaring inequalities. And the very idea of separate facilities is in itself a negation of full and complete privileges and immunities of citizenship."

NAACP, CIO, LAWYERS AMONG AIDES OF MOVE

WASHINGTON, D. C. — (NNPA) — Briefs as friends of the court were filed by five organizations this week in the United States Supreme Court in support of the appeal of Elmer W. Henderson from a ruling of the Federal District Court at Baltimore upholding racial segregation in dining cars.

The organizations filing the briefs were the National Association for the Advancement of Colored People, the National Lawyers Guild, the Congress of Industrial Veterans, the American Jewish Congress and the American eVterans Committee.

Mr. Henderson, director of the American Council on Human Rights contends that the Southern Railway violated the Interstate Commerce Act in refusing to serve him at tables reserved for colored passengers because white passengers were seated at those tables and also by using a curtain to partition off the tables reserved for colored passengers from other tables in its dining cars.

The Interstate Commerce Commission dismissed his complaint and he appealed to the Federal District Court at Baltimore. On remand, the ICC approved a new dining car regulation providing for the absolute reservation of one table for colored pasengers next to the kitchen and separated from the remainder of the dining car by a 5-foot wooden partition.

In its brief, the NAACP argues that the present regulation violates the Interstate Commerce Act and that it constitues a burden on inerstate commerce and in the same manner and to the same extent as the Virginia State requiring segregation of passengers in interstate bus travel which was a truck in the Irene Morgan case.

GOVERNMENT ACTION

The NAACP also argues that sanction of the new regulation by the ICC constitutes governmental action within the reach of the Fifth Amendments to the Constitution, and that the Government is powerless to make, sanction, or enforce any distinctions based upon race or color.

Only under the reasoning of Plessy-vs -Ferguson, the decision which "gave birth" to the much criticized "equal but separate doctrine, can the Government be a party to enforcement of the regulation in question, the NAACP states.

Pointing out that other briefs before the court "present social date which convincingly demonstrate the cruel and inhuman results which inevitably flow from racial segregation," the National Lawyers Guild limited its brief to an analysis of the revelent legal principles.

"We believe anyone who has ever viewed the process of separation of the races as applied to any minority race, carried out with the coercive power of government ever available to punish any deviation knows the sight is incompatible with the principles upon whch our government is founded," the Lawyers Guild maintains, adding:

"Until such daily scenes are erased from our land, the Constitution and its amendments remain for all real purposes a dead letter to those participating.

"The instant case affords a splendid opportunity for decreeing that governmental sanction may no longer be used to compel racial separation. We urge the court to so hold."

Justice Aim of Perlman

Firm Backer of Civil Rights Principles

By WOODY TAYLOR

WASHINGTON

"The United States wins its point whenever justice is done its citizens in the courts.

"That is the creed of the Department of Justice and what I firmly believe in," said U. S. Solicitor General Philip B. Perlman in an exclusive AFRO interview Wednesday morning.

Grants AFRO Interview

The top anti-trust division lawyer in the Justice Department of the United States was being interviewed on the action he had taken in the case of Elmer Henderson against the Southern Railroad, which discriminated against Henderson by refusing him equal dining car service, several years ago.

In filing his brief asking for the abolishment of Jim Crow in railroad dining cars, Mr. Perlman was aligning the Justice Department against the Interstate Commerce Commission, which had ruled in effect that segregation on interstate carriers was not illegal.

"I believe that equal rights do not mean so-called equal facilities. I believe that equal rights mean the same rights," he added.

Ever since the Government filed briefs in the famous racial restrictive covenant cases in the U.S. Supreme Court, which resulted in the banning of legal enforcement of such covenants, people have been wondering how the Justice Department ever got into such cases in the first place.

Solicitor General Perlman, himself, revealed, Wednesday, just how and why the Justice Department went into these cases. He declared:

"In the first place it is my firm belief that the Constitution of the United States applies with the same force to every citizen of the United States no matter what race or color he may be. One reason why I propose to argue the Henderson case myself is because of this belief."

He expressed the conviction that Attorney General J. Howard McGrath has the same opinion. "It is a pleasure to work with him to accomplish these great ends," he stated.

Rared back in his cushioned seat in the well appointed office Uncle Sam provides for him, Mr. Perlman continued, "we are waging no sham battle. We are genuinely sincere. We are going to hit inequality wherever we can, at every opportunity."

Result of Conferences

When asked how it happened that the Justice Department veered from the course it has been pursuing for many years in staying out of such controversies, the Solicitor General stated:

"The first important phase of the problem that came up for settlement was the suggestion that we take part in the covenant cases.

"Several conferences were held with the then Attorney General, Tom Clark, now a Supreme Court judge. The requests were made by a number of groups throughout the country.

"We found the Attorney General sympathetic with our point of view that racial restrictive covenants were bad as a matter of equity, as well as constitutional infringements.

Argued Cases Himself

"I talked to a number of people about the problem and we finally came to the conclusion that it's time the Justice Department intervene."

Mr. Perlman said he put a number of people to work on the covenant cases and decided to argue it himself and did so.

The Henderson case is a far more difficult problem for him than were the covenant cases, Mr. Perlman stated. The reason he gave for this statement is that the anti-trust division of the Justice Department usually works with the Interstate Commerce Commission.

When the first Interstate Commerce regulations were adopted for the Southern Railroad and brought to the lower court the anti-trust division was assigned the case and joined ICC and argued with them.

Situation Unknown to Him

All of this was done without his knowledge, the Solicitor General stated, as the department still adhered to the original policy of not entering cases until they come up on appeal.

The case first came to him on a motion from ICC to affirm the judgment of the lower court. The motion didn't reach his office until the last day of time to file, he stated.

It first went to the anti-trust division. A new Assistant Attorney had just come into the office and sent it to Mr. Perlman with recommendations not to sign.

"Why have I done these things?" he inquired.

"Simply because I believed sincerely in President Truman's civil rights program," he replied, stating, "I think the legislation he is advocating ought to be passed."

Mr. Perlman said he was a member of the platform committee at the Democratic National Convention and had a hand in drafting the civil rights planks in the platform.

Dixiecrats Move Discounted

At this point Mr. Perlman was reminded that Rep. Sam Hobbs (Dem., Ala.) was granted the right to enter the Henderson case in behalf of himself and 11 members of the House Judiciary Committee and purports to show that the Justice Department has no right to speak for the U.S. Government or enter this case.

He was told that Congressman Hobbs had said in a recent interview that he thought the Justice Department was trying to coerce the Supreme Court. To this Mr. Perlman stated:

"Under the law, the United States is required to be a party in every suit in the nature of an appeal from ICC. The U.S. is therefore made a party defendant.

"My duty is to represent the United States in the Supreme Court; and I conceive it to be my duty in representing the United States to take what I think is the correct position, no matter whether it benefits the plaintiff or the defendant.

Always Wanted Justice

When asked how he became a rights crusader and whether some circumstance had brought it about, or whether he has always thought as he does, the Solicitor General said:

"I have always felt that way about equal rights. I have just never had an opportunity to do anything about it until I became Solicitor General."

Oddly enough, Mr. Perlman is a "Southern gentleman," being a native of Baltimore, and having been educated, practiced law, entered politics and made most of his achievements within the State of Maryland.

He was born in Baltimore on Mar. 5, 1890, attended the public schools and was graduated from Baltimore City College with the Class of 1908.

Important Decision To Come

Soon to come up before the Supreme Court is a case of tremendous significance to the nation as a whole, of special significance to the South. It is designed to test the whole concept of segregation. It is possible that the legal basis for the "separate-but-equal" doctrine which came into being by court decision in 1896 may be completely undermined. If such a decision should be handed down in this session, the social structure of the South would be broadly affected.

The court has seemed to realize how far-reaching would be the effect and has postponed hearing argument until recuperation of Justice Douglas is complete.

More than half a century ago the Supreme Court ruled that segregation of races is legal if equal facilities are provided for any minority group involved. One end of a streetcar is presumably as good for riding purposes as the other. One public school is theoretically as good as another. Negroes in the South have ordinarily not sought court relief where there has been evident intent on the part of school authorities to work as fast as conditions permit to close any gaps between actual standards.

The Supreme Court has two other cases before it. As recently as Nov. 7 of this year it agreed to review the situations in Oklahoma and in Texas involving separation of the races in schools. But a more far-reaching case came up some time ago. It concerns one Elmer Henderson, a Negro, who in 1942, it is set forth, was three times in one trip between Washington and Birmingham refused admission to a dining car on the Southern Railway because the tables available for Negroes in the car were occupied by white persons. He first petitioned the Interstate Commerce Commission to end this sort of segregation in interstate traffic and then appealed to the Federal District Court of Maryland. In both instances he was rebuffed. The Supreme Court agreed to review the case. The Southern Railway, the ICC and the United States government were named as co-defendants. The Department of Justice, however, entered a brief over the name of Solicitor General Philip B. Perlman challenging the whole doctrine of "separate-but-equal" treatment. The brief was actually prepared by Charles H. Weston of the anti-trust division.

It is a most unusual document. It presents the Weston conception of the meaning of "equality," cites the Constitution and many past court decisions, invokes the Charter of the United Nations, and sets forth the testimony of several dozen anthropologists, sociologists and psychologists. It leans heavily on the writings of many investigators of the "Negro problem," especially those of Gunnar Myrdal, author of an outstanding work on the subject, "An American Dilemma."

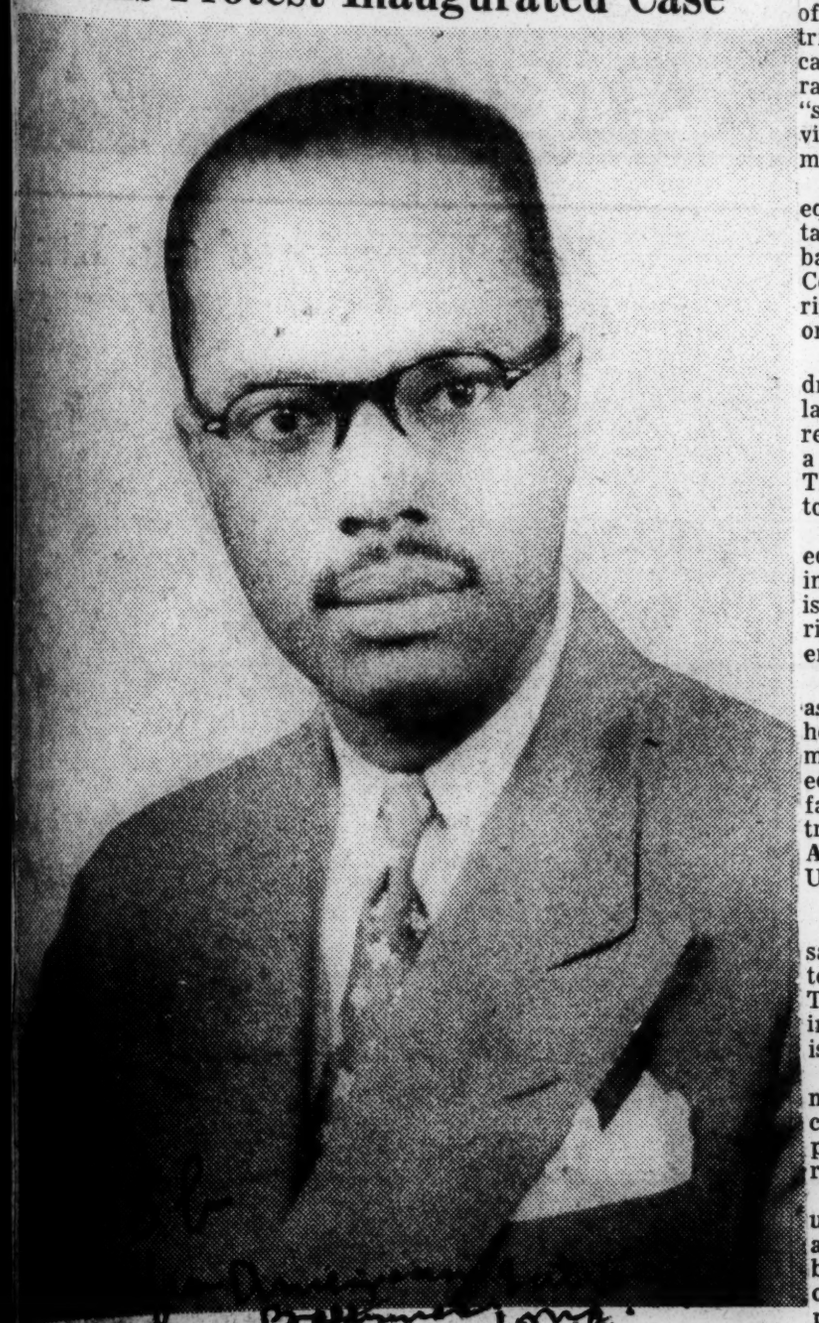
The brief holds that segregation is wrong inasmuch as there is no such thing as "separate-but-equal." It holds that the definition of "equal" is "the same."

The brief also denies that doing away with segregation would bring about "an enforced commingling" of races, for it holds that no one need associate with any persons he does not like. It reads: "It is one thing to permit an individual to act on his personal prejudices; it is something entirely different for the law to force such prejudices upon everyone else." A place of public gathering, it says, is not subject to the rules of a private club or residence. A man "may draw his social line as closely as he chooses . . . but he cannot in a public place carry the privacy of his home with him, or ask that people not as good or great as he is shall step aside when he appears."

* * *

This is the sort of argument presented to the court. It may narrow the decision to an interpretation of an ICC regulation which forbids any common carrier to subject any person to undue prejudice or disadvantage and sidestep the larger issue. Turmoil would be created if it were to reverse the "separate-but-equal" doctrine.

His Protest Inaugurated Case



Elmer W. Henderson, whose protest over railroad dining car seating arrangements resulted in the "separate can't be equal" case now before the U.S. Supreme Court.

It Can't Be Separate and Equal, Says U.S.

Afro-American Balt. 10-29-49

CONCLUSION

It is respectfully submitted that the judgment of the district court should be reversed and that the Interstate Commerce Commission should be directed to enter an order prohibiting the railroad from furnishing dining car service to passengers segregated on a basis of race or color.

PHILIP B. PERLMAN,
Solicitor General.
HERBERT A. BERGSON,
Assistant Attorney General.
CHARLES H. WESTON,
PHILIP ELMAN,
Special Assistants to the Attorney General.

October, 1949.

No Destinction About Rights

We likewise believe that there was error in the second premise of the "separate but equal" doctrine enunciated in the Plessy case, namely, that enforced separation of the races affects only "social" rights not within the purview of the Fourteenth Amendment.

The Amendment strikes at inequality without qualification. Certainly its language furnishes no basis for the distinction which the Court drew between "social" rights and those which are "civil" or "political."

Furthermore, the distinction drawn is, at best nebulous and largely a matter of emphasis. "In reality it is not possible to isolate a sphere of life and call it 'social.' There is, in fact, a 'social' angle to all relations."

It is one thing to define social equality in terms of integration into white social organizations; it is another to define as "social" the right to equality in the use and enjoyment of public facilities.

Travel is for business as well as for pleasure. This Court has held that the Fourteenth Amendment requires "substantial equality of treatment" as to the facilities afforded to those who travel by railroad. **McCabe v. Atchison. T. & S. F. Ry. Co.** 235 U. S. 151, 161.

Court's Observation Irrelevant

In the **Plessy** case the Court also said that legislation is "powerless to eradicate" racial perjudice. This observation, even if true, was irrelevant to the constitutional issue before the Court.

It might properly have been made before a legislative body considering the merits of a bill to penalize conduct manifesting racial prejudice.

But the Court was not called upon to make a judgment of policy as to whether racial prejudice can be eradicated by legislation; the only question was whether a particular statute created, enforced, or supported the denial of a constitutional protected right.

Statutes and ordinances may not in themselves remove racial antagonisms, but it is clear that they cannot constitutionally magnify such antagonisms by giving the sanction of law to what would otherwise be a private, individual act of discrimination. That is the basic vice of the Commission's order in this case.

Court Can Step In

In any event, the Court's observation is, at best a half-truth. Although legislation cannot "eradicate" racial prejudice, experience has shown that it can create conditions favorable to the gradual disappearence of racial prejudice; or it can, on the other hand, strengthen and enhance it.

Civil rights and anti-discrimination statutes have been shown to have the former effect, and so-called Jim Crow laws the latter. A Commissioner of the New York State Commission Against Discrimination has recently written:

> Critics of fair-employment laws used to claim that long-established habits of discrimination could not be changed by legislation. Their argument has been unmistakably answered today. Nearly four years' experience in New York—and similar experience in New Jersey, Massachusetts, Connecticut, Washington, Oregon, New Mexico and Rhode Island, all of which have passed anti-discrimination legislation modeled after the New York law — indicates conclusively that wise legislation creates a climate of opinion in which discrimination tends to disappear.

On the other side of the picture, "Jim Crow" laws, which govern important segments of everyday living, not only indoctrinate both white and colored races with the caste conception, but they solidify the segregation existing outside these laws and give it respectability and institutional fixity.

Part J.C. Laws Play

As the Supreme Court of California has pointedly said, the way to eradicate racial tension is not "through the perpetuation of law of the prejudices that give rise to the tension." Baltimore Afro-American

In fields which "Jim Crow" laws do not cover there has been "a slow trend toward a breakdown of segregation;" within the fields of their operation the laws "keep the pattern rigid."

We submit, moreover, that the Fourteenth Amendment, considered in the light of its history and purposes, furnishes no support for the "separate but equal" doctrine. The Amendment was primarily designed to establish Negroes as citizens and to protect them in the full enjoyment of rights concomitant to such status.

This Court has said that "the chief inducement to the passage of the Amendment was the desire to extend Federal protection to the recently emancipated race from unfriendly and discriminating legislation by the States."

Hit Blow at Segregation

Segregation does not appear to have been specifically discussed in the debates on the Amendment itself. The apparent reasons for this were that the first section of the Fourteenth Amendment was designed to secure the analogous provisions of Section 1 of the Civil Rights Act of 1866, 14 Stat. 27, by incorporating them into the Constitution, and that the question of segregation had been fully considered during the debates preceding passage of the Civil Rights Act of 1866.

The opponents of the bill had repeatedly argued that it would require the abolition of separate schools. While a few advocates of the measure disputed this, it is far from clear that a majority of the bill's supporters shared this view. Contemporaneous press comment reflects the general understanding that the bill would prohibit segregation.

The debates preceding enactment of the Civil Rights Act of 1875, 18 Stat. 335, show even more clearly that the Amendment was understood to outlaw State-enforced segregation. The bill in its original form provided that all persons, without distinction as to race or color, should be entitled to "equal and impartial" enjoyment of any accommodation furnished by common carries, public schools, innkeepers and the like.

J.C. School Amendments Lost

Both supporters and opponents of the measure construed it as invalidating racial segregation. Proposed amendments to permit local communities to provide equal but separate educational facilities were defeated in both branches of Congress.

While express reference to public schools was finally eliminated, its elimination was not because of doubt of the power of Congress under the Fourteenth Amendment, since the "full and equal" requirement was retained as to other accommodations, advantages and facilities.

Since Section 5 of the Fourteenth Amendment authorizes Congress to enforce only the provisions of the Amendment, the passage of prohibitory legislation embracing racial segregation clearly shows that a majority of both branches of Congress thought that segregation came within the prohibitions of the Amendment.

D. The harm of the public interest which has resulted from enforced racial segregation argues against its extension to the field of interstate transportation.

The effects of the segregation to which Negroes are subjected are not confined to those who are colored. They extend also to those who are white, and they bear vitally upon the interests of the Nation as a whole. We submit that the harmful effects to the public interest which have resulted from racial segregation furnish persuasive grounds for rejecting its extension to the field of interstate transportation.

In addition, the materials referred to in this section of the brief conclusively refute the notion that facilities segregated on a racial basis can in any circumstances be regarded as equal.

Effect on Negroes

Segregation is a dominant factor in every aspect of the Negroe's life. It limitis his physical movements and economic opportunities, and adversely affects his personality and social development. It is much more than jim-crowism in vehicles and public places. It is an ostracism symbolizing inferiority which colors his thoughts and action at almost every moment.

Professional opinion is almost unanimous that segregation has detrimental psychological effects on those segregated. A questionnaire addressed to 849 representative social scientists was answered by 61% of those to whom it was sent. Of those replying, 90.4% believed that enforced segregation has "detrimental psychological effects" on those segregated if "equal facilities" are provided, 2.3% expressed the opposite opinion, and 7.4% did not answer the question or expressed no opinion.

Two Extreme Reactions

Those who elaborated their position with comments (55% of those replying) stressed that segregation induced feelings of inferiority, frustration and persecution, and that it developed, on the one hand, submissiveness, withdrawal tendencies, and fantasy, and on the other hand, aggression.

Evene Soldiers Suffered

The extensive studies made of Negro troops during the recent war furnished striking example of the absence of adequate social rewards or acceptance. Energy and emotion which might be constructively used are lost in the process of adjustment to the racial discrimination.

Psychosomatic disease is induced by the tensions engendered by segregation and other forms of hostility and aggression. The resentment and provoked by segregation is an obvious means of psychological "accommodation," various forms of release. Mediocrity is accepted as a standard because of the absence of adequate social rewards or acceptance. Energy and emotion which might be constructively used are lost in the process of adjustment to the "Jim Crow" fecting integration of the Ne-

gro into Army life was that he had to carry the burden of race prejudice in addition to all of the other problems faced by the white soldier.

For a general discussion of the effects of the caste system, which segregation supports and exemplifies, on Negro personality and behavior, see Myrdal, **An American dilemma**, vol. 2, pp. 757-767.

Effects on White

Segregation also detrimentally affects the dominant white group. "Segregation and discrimination have had material and moral effect on white, too. Booker T. Washington's famous remark, that the white man could not hold the Negro in the gutter without getting in there himself, has been corroborated by many white Southern and Northern observers."

The white person must adjust himself, consciously or unconsciously, to the hypocrisy of a double standard violating the American creed which he professes to follow. Feelings of guilt are generated and moral values weakened; the basic realities of the racial problem are diverted into the mechanism of segregation:

Those who segregate others soon become frightened, insecure people forced to accept and invent prejudice to justify their actions. They become hyprocrites who either close their eyes to stark reality or invent slogans to hide fundamental issues. The master classes, no less than the subjected, become victims of the system.

Effect on the Nation

Segregation is part of a vicious cycle. It prevents groups from knowing each other. This lack of knowledge engenders distrust and antagonism.

Races Kept Apart

They in turn stimulate the demand for sharp cleavage between races and maintenance of a system of segregation. Thus groups within the Nation are kept asunder.

Experience and informed opinion are in agreement that normal contacts between the races diminish prejudice while enforced separation intensifies it. Race relations are improved by living together, working together, serving together, going to school together.

The absence of a color line in certain countries goes far to show that racial prejudice is not instinctive or hereditary, but is rather kept alive by man-made barriers such as segregation.

When Barriers Drop

The experience of the Sperry Gyroscope Company is noteworthy. Its employment of Negroes began in 1941 and steadily progressed until, by 1944, one-third of its Negro employees were in highly skilled occupations, one-third in semi-skilled, and one-third in other jobs. In the words of the president of the company:

The initial employment of Negroes and each subsequent extension of their employment into new categories was received with doubt by the supervisors, and, in some cases, by rumblings and even threats of trouble from some groups of white workers. The threats never materialized, the doubts disappeared and were succeeded by friendliness and co-operation in helping the Negro to learn his new job and to progress to a better one. I know of no instance now where the Negro worker is not judged entirely on the basis of his competency and without consciousness of his race.

A marked change in attitude occurred in white soldiers who served in combat with Negro troops. Two out of three admitted that at first they had been unfavorable to serving with Negro troops. Three out of four stated their feelings had changed after service with them in combat.

Experiences Broaden Men

And a survey of opinion of white servicemen on the question of including Negro and white platoons in the same company showed that their willingness to accept such integration was in direct ratio to their closeness to actual combat experience with Negro troops.

Rebellion against constituted authority (parental, school or state) is, for the adolescent, a normal manifestation of growth toward independence.

But, in the case of many, the apparent hypocrisy of a society professing equality but practicing segregation and other forms of racial discrimination furnishes justification and reason for the latent urge to rebel, and frequently leads to lasting bitterness or total rejection of the American creed and system of government.

Jackie's Testimony Cited

Recently a Congressional committee summoned Jackie Robinson, the Negro baseball star, as a witness to rebut certain widely publicized statements which had questioned the loyalty of large numbers of the colored race. He testified:

Just because Communists kick up a big fuss over racial discrimination when it suits their purposes, a lot of people try to pretend that the whole issue is a creation of Communist imagination.

But they are not fooling anyone with this kind of pretense, and talk about "Communists stirring up Negroes to protest," only makes present misunderstanding worse then ever. Negroes were stirred up long before there was a Communist Party, and they'll stay stirred up long after the party has disappeared—unless Jim Crow has disappeared by then as well.

In our foreign relations, racial discrimination, as exemplified by segregation, has been a source of serious embarrassment to this country. It has furnished material for hostile propaganda and raised doubts of our sincerity even among friendly nations. A letter from Mr. Dean Acheson, then Acting Secretary of State, to the Fair Employment Practice Committee on May 8, 1946, stated:

*** * * the existence of discrimination against minority groups in this country has an adversed effect upon our relations with other countries. We are reminded over and over by some foreign newspapers and spokesmen, that our treatment of various minorities leaves much to be desired. While sometimes these pronouncements are exaggerated and unjustified, they all too frequently point with accuracy to some form of discrimination because of race, creed, color, or national origin. Frequently we find it next to impossible to formulate a satisfactory answer to our critics in other countries; the gap between the things we stand for in principle and the facts of a particular situation may be too wide to be bridged. * * ***

I think it is quite obvious * * * that the existence of discriminations against minority groups in the United States is a handicap in our relations with other countries.

Recent remarks of representatives of foreign powers in a subcommittee of the United Nations General Assembly typify the manner in which racial discrimination in this country is turned against us in the international field. The references to this subject in the unfriendly foreign press are frequent and caustic.

NAACP Petitions Supreme Court To Ban R. R. Jim Crow

Washington, Oct. 27—Supporting Elmer W. Henderson's appeal to the United States Supreme Court to invalidate the Southern Railway Company's Jim Crow regulations in its dining cars, Robert L. Carter and Thurgood Marshall, attorneys for the National Association for the Advancement of Colored People, have filed a brief amicus curiae with the Supreme Court.

The NAACP attorneys asked "that the judgment of the District Court . . . be reversed and that the Interstate Commerce Commission . . . be directed to enter an order prohibiting the railroad from requiring racial segregation of its Negro dining car patrons."

The NAACP brief, filed on Oct. 21, contended that (1) the Southern Railway Company's regulation setting aside a separate table in the diner for Negro passengers violates the Interstate Commerce Act, (2) that the regulation imposes a burden on interstate Commerce in the same manner and to the same extent as the state statute struck down by the Court in the Irene Morgan case, (3) that approval of this regulation by the ICC constitutes governmental action within the reach of the Fifth Amendment, and (4) that the government has no authority under the Constitution to make, sanction or enforce, any distinctions or classifications based upon race or color.

"It is our belief," the attorneys assert, "that the racial distinctions and discriminations which the Southern Railway is now attempting to enforce under its present regulations, and which the Interstate Commerce Commission and United States District Court approved, are invalid, humiliating to passengers both white and Negro alike, and directly contrary to the ideals of democratic living to which this country is dedicated."

THE SUPREME COURT WILL HEAR ARGUMENT next month in one of the most important cases ever brought before it, that of Elmer W. Henderson, a Negro who in 1942, traveling by train from Washington, D. C., to Birmingham, Alabama, as a representative of the war-time Fair Employment Practices Commission, was three times in one evening refused entry to a dining-car because its two "Jim Crow" tables—the only ones available for Negroes—were occupied by white patrons. Henderson fruitlessly petitioned the Interstate Commerce Commission to put an end to this form of segregation, and a subsequent appeal to the federal District Court of Maryland met an even stronger rebuff. As a result, when the Supreme Court agreed to review the case, the Southern Railway Company, the ICC, and the United States of America found themselves in the interesting position of co-defendants of segregation. But at this point—much to the distress of the administrators of the ICC—the United States, as represented by the Department of Justice, resigned from the partnership. Solicitor General Philip B. Perlman entered a brief not only supporting Henderson but challenging the whole hypocritical doctrine of "separate but equal" treatment for Negroes which for over fifty years has been the chief legal weapon of white supremacists. " 'Separate but equal,' " says Mr. Perlman's brilliant plea, "is as much a contradiction in terms as 'black but white.' " The document then analyzes in great detail the structure of this myth and the true meaning of equality, invoking not only the Constitution and a score of past Supreme Court decisions but the United Nations Charter and the testimony of dozens of anthropologists, sociologists, lawyers, psychologists, and writers with a special interest in Negro problems—men like Gunnar Myrdal, Osmond K. Fraenkel, Robert Weaver, and Thomas Sancton. It is, withal, an imaginative and forthright work, and whether or not it wins Mr. Henderson's case for him, it can already be regarded as marking a turning-point for this nation in its long journey toward full democracy.

High Court To Study Separate-Equal Policy

By VENICE SPRAGGS

WASHINGTON—The Administration has shifted its civil rights fight to the United States Supreme Court, where the Justice Department has asked the the high tribunal to overrule the 50-year-old "separate but equal" facilities doctrine on which most of the racial segregation in the United States is based.

ELMER HENDERSON

In a brief filed with the court, the department said that the segregation doctrine is a "constitutional anachronism which no longer deserves a place in our law."

Solicitor General Philip B. Perlman filed the brief for the Justice Department in a suit brought by Elmer W. Henderson, director of the American Council on Human Rights. Although work on the brief was begun while Tom C. Clark, now Supreme Court Justice, was still Attorney General, J. Howard McGrath, who succeeded him in that position, said it was "in line with my views."

In entering the case, the Justice Department is in the position of opposing another government agency by asking the high court to invalidate an Interstate Commerce Commission ruling allowing racial segregation in railroad dining cars.

Henderson claimed that in 1942, while traveling on the Southern railway between here and Birmingham, Alabama, he was unable to get a meal on the train. The District Court in Maryland ruled against him, but he appealed to the high court, which last June agreed to review the case. It has been set for argument during the week of [illegible]

Two other cases now pending before the Supreme Court hinge directly on the "separate but equal" facilities doctrine, notably educational equality cases arising in Texas and Oklahoma.

This is not the first time the Justice Department has entered a racial segregation case. The controlling argument advanced by the Solicitor General in 1948, with respect to racial restrictive covenants in housing weighed heavily in the high court's favorable decision that federal and state courts cannot legally enforce racial restrictive property covenants.

The department's 108-page brief decides that the issues in the Henderson case cannot be considered without leaning on the "separate but equal" doctrine, established in the classic case of Plessy v. Ferguson, then the "doctrine of that case should now be reexamined and overruled."

The brief charged that the "legal and factual assumptions upon which Plessy v. Ferguson case was decided have been determined to be in error."

Hitting the abominable practice followed by Southern railroads in their dining car practices, the brief said that "both the Constitution and the Interstate Commerce Act give all persons traveling on interstate carriers the right to equal treatment, without being subject to governmentally-enforced discrimination based on race or color." Disputing the decision of the lower court, the brief said "the obligation of carriers to provide equality of treatment means equality as between individuals and not as between racial groups.

"In our view," the brief continued, 'separate but equal' is as much a contradiction in terms as 'black but white.'"

Deploring the human degradation which arises from being segregated by race, the brief stated: "It is bad enough for the Negro to have to endure the insults of individuals who look upon him as inferior. It is far worse to have to submit to a formalized or institutionalized enforcement of this concept, particularly when, as in this case, it carries the sanction of an agency of government and thus appears to have the seal of approval of the community at large.

"Segregation of Negroes, as practiced in this country, is universally understood as imposing upon them a badge of inferiority," the brief continued. "It 'brands the Negro with the mark of inferiority and asserts that he is not fit to associate with white people,'" it stated, quoting the President's Committtee on Civil Rights.

"The curtain or partition which fences Negroes off from all other diners, exposes, naked and unadorned, the caste system which segregation manifests and fosters," the brief contended. "A Negro can obtain service only by accepting or appearing to accept, under the very eyes of his fellow passengers, white and colored, the caste status which the segregation signifies and is intended to signify."

In asking the Supreme Court to overturn the "separate but equal" doctrine, the Government declared: "The evasions and violations of the Constitution are being gradually eliminated. One handicap is the approval, given in another day and generation, to the proposition that the Constitution could be satifiedand friction removed by the establishment of "separate but equal facilities. Experience has shown that neither the Constitution, nor the laws enacted under its authority, nor the individuals affected, are given the required respect and status under such an arrangement.

"Equal" facilities, if separate, are rarely, if ever, equal in a physical sense. In most situations they havebeen used to cloak glaring inequalities. And the very idea of separate facilities, or separate rights is, in itself, a negation of the full and complete possession of privileges and immunities of citizenship.

Defender
Sat. 10-15-49
Chicago, Ill.

"Separate But Equal"

The Supreme Court has consented to review a case that may have great historic significance—the case of Elmer W. Henderson against the United States of America, Interstate Commerce Commission and Southern Railway Co. The case will test the validity of a Southern Railway regulation, approved by the ICC and upheld by a divided three-judge Federal District Court, requiring passengers to be segregated according to their color in the railway's dining cars.

In accordance with law, the United States was named as a defendant in the suit brought by Henderson. Nevertheless, the legal representatives of the United States, the Solicitor General and other officers of the Department of Justice, filed in the Supreme Court Wednesday a powerful brief arguing that Henderson's appeal should be upheld and that the order of the ICC should be declared invalid. This support of an appellant on the part of the Department of Justice deserves the warmest commendation.

The case originated when Henderson, a Negro, traveling as a field representative for the wartime Fair Employment Practices Committee, was denied service in a Southern Railway diner, in accordance with company regulations, because the two end tables, curtained from the rest of the car and supposedly reserved for Negroes, were being used by white passengers. The Interstate Commerce Act provides that "it shall be unlawful for any common carrier . . . to subject any particular person . . . to any undue or unreasonable prejudice or disadvantage in any respect whatsoever." The company reconciled its regulation with the law on the ground that the furnishing of separate but proportionately equal facilities entailed no discrimination. The ICC upheld this justification.

The doctrine that segregation is not discrimination rests upon an 1896 decision of the Supreme Court in *Plessy v. Ferguson*—perhaps, with the single exception of the Dred Scott case, the worst decision in the Supreme Court's entire history. The court at that time dismissed the contention that "the enforced separation of the two races stamps the colored race with a badge of inferiority," and blandly observed that "if this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it."

The sophistry and callousness of this judgment were roundly scored by Justice Harlan in one of the court's great dissents. "Our Constitution is color blind," he said, "and neither knows nor tolerates classes among citizens . . . We boast of the freedom enjoyed by our people above all other peoples. But it is difficult to reconcile that boast with a state of the law which, practically, puts the brand of servitude and degradation upon a large class of our fellow citizens, our equals before the law. The thin disguise of 'equal' accommodations . . . will not mislead anyone, nor atone for the wrong this day done."

The "thin disguise" has been used ever since to justify segregation in public schools, State universities, public transportation and other public facilities. The whole structure of discrimination by law has been based upon it. All experience has shown not only that separate facilities are never, in fact, equal but that enforced separation is imposed deliberately to humiliate Negroes and to emphasize their inferiority. It serves that purpose well. It creates inequality by imposing a caste status upon the group at which it is aimed.

The Justice Department's brief asks the Supreme Court to invalidate the ICC ruling on the ground that the Southern Railway regulation violates the Interstate Commerce Act. It seems to us clearly to do so. "But," says the brief, "if the court should conclude that the issues here cannot be decided without reference to the 'separate but equal' doctrine, the Government submits that the legal and factual assumptions upon which *Plessy v. Ferguson* was decided have been demonstrated to be erroneous, and that the doctrine of that case should now be reexamined and overruled. The notion that separate but equal facilities satisfy constitutional and statutory prohibitions against discrimination is obsolete. The phrase 'equal rights' means the same rights." It is high time for the Supreme Court to say so.

"Equal" Means the Same

(Text of Government's brief before U.S. Supreme Court will be found on another page.)

For the second time in less than two years, the U.S. Government has declared that there is no equality in segregation.

The first time this argument was made was in 1948 when Solicitor General Philip B. Perlman appeared before the U.S. Supreme Court in the restrictive covenant housing cases and asserted that these discriminatory devices on real property are "a menace to the privileges of citizenship" and should no longer be enforced.

Last week, Mr. Perlman was back in the nation's highest tribunal because that body has agreed to review a case which will test the validity of a Southern Railway regulation requiring passengers to be segregated according to color in that carrier's dining cars.

The case is that of Elmer W. Henderson vs. the Interstate Commerce Commission and the Southern Railway. In accordance with the law, the U.S. Government is also named as a co-defendant.

Mr. Perlman's brief on behalf of Mr. Henderson is significant because it carries with it not only the full authority of the Justice Department but also the full weight of President Truman. The argument against segregation, therefore, is that of the Government and not merely that of an individual citizen.

In it, the "separate-but-equal" doctrine which has colored so many court decisions and much private thinking, is attacked as a "constitutional anachronism."

Mr. Henderson, traveling as field representative for the wartime Fair Employment Practices Committee (FEPC), a government agency, was denied service on a Southern Railway diner. The two end tables, which the railroad had curtained off solely for colored passengers, were occupied by whites when Mr. Henderson sought service.

He was asked to wait, but the tables were occupied continuously by whites until the end of the meal, so that Mr. Henderson was never served, even under jim crow arrangements. But even had he been served later, such a delay in service would be just as unlawful as the denial, Mr. Perlman contends.

This momentous brief, for the first time, brings before the Supreme Court the argument that equal treatment means the same treatment and that equality means equality between individuals, not groups.

Previous decisions in the lower courts have been based upon the theory that separate but "substantially equal" facilities and services entail no discrimination. This is the argument that has been used in the Sweatt case in Texas and in the McLaurin case in Oklahoma, both involving the right to attend State universities.

The decision in the Henderson case therefore, will have historic significance particularly if it establishes the fallacy of the separate-but-equal theory which has been a stumbling block in our path for these many years.

So there is praise for President Truman, former Attorney General (now Justice) Tom Clark, Attorney General McGrath and Solicitor Perlman, as well as for Mr. Henderson, his counsel and all others who in any way contributed to the bringing of the present action.

Those not so stout hearted might have given up in disgust long ago. The fight for first-class citizenship is a long and arduous one. We must continue to press it at every point with every resource at our command. Victory lies ahead.

Dining Car Segregation Main Target

WASHINGTON—Support grew this week for Elmer W. Henderson's appeal to the United State Supreme Court to invalidate the Southern Railway Company's Jim Crow regulations as the National Association for the Advancement of Colored People and the National Lawyers Guild filed briefs with the high tribunal backing Henderson's plea.

NAACP attorneys Robert L. Carter and Thurgood Marshall asked that the judgement of the District Court of Baltimore be reversed and that the Interstate Commerce Commission be directed to enter an order prohibiting the railroad from requiring racial segregation of its dining car patrons.

The Guild took the position that "complete equality of facilities and segregation can coexist only in fiction not fact." The case will be argued before the high court in December.

38b 1949

Discrimination In Railroad Travel

The fact that the Interstate Commerce Commission through its counsel has filed a brief asking the United States Supreme Court to uphold race segregation in interstate travel should come as no surprise. Those of us who are acquainted with many of our federal agencies, know that in many instances, their whole outlook has evolved around a segregated pattern.

The fact that we have certain political factions in Congress, upholding the Commission's point of view should also come as no surprise. These factions are merely taking the opportunity to create more animosity and ill feeling between the races, purely for vote-getting reasons.

The action by the Justice Department has been denounced on the floor of Congress on the grounds that this department "is asking the Supreme Court for anti-social legislation by judicial fiat." However, well meaning political leaders think differently on this question. These practices as maintained by some, are not only in violation of those rights of Negroes, but also in violation of those guaranteed to whites.

The doctrine that segregation is not discrimination rests upon an 1896 decision of the Supreme Court in Plessy vs. Ferguson. At that time the Supreme Court dismissed the contention that "the enforced separation of the two races stamps the colored race with a badge of inferiority."

The case which again brought this issue before the court, where the Justice Department now seeks to have the 1896 decision reversed, was filed by Elmer W. Henderson, a Negro, who was formerly a field representative of the president's committee on fair employment practices of the War Manpower Commission.

Mr. Henderson was traveling on the Southern Railway between Washington and Birmingham in May 1942, as a first-class passenger.

According to the brief, when the dining car was opened for service at 5:30 p. m., white passengers were seated at the two end tables which the railroad had reserved for Negroes. Mr. Henderson was told to come back. He returned twice, but a place was never found to serve him and the dining car was dropped from the train at 9 p. m.

Mr. Henderson sent a complaint to the I. C. C. which held that the railroad's dining regulations met requirements of the Interstate Commerce Act, which in part reads: "It shall be unlawful for a common carrier to subject any particular person to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

The fact here is that Mr. Henderson was traveling as a first class passenger. And under such principles, he should have been entitled to all the services offered to first-class passengers, not on the basis of his color, but on the basis of his ticket.

The privilege paid for by Mr. Henderson was not granted him, like it was granted other passengers who were of a different race.

Therefore, we believe that such action taken by the Railroad Co. as well as the Interstate Commerce Commission are acts committed in direct violation of the constitutional rights of an American citizen. This would be true despite his race or color.

Elmer W. Henderson

The Justice Department we believe has taken a wise and advanced step in making an attempt to uphold the ideal of our democratic process.

Justice Dept. Hits Dining Car Ruling

By LOUIS LAUTIER

WASHINGTON, D. C.— (NNPA) —In an unusual action the Justice Department has asked the United States Supreme Court to reverse a decision of lower court and direct the Interstate Commerce Commission to prohibit railroads from furnishing dining car service to passengers on a segregated basis.

The action of the Justice Department is equivalent to a confession that the ICC and the Federal District Court at Baltimore were in error.

In its brief, filed for the United States, the Justice Department contends that the ICC's order approving the dining car regulations is invalid on constitutional and statutory grounds.

The basis of this argument is that the right of all persons to equality of accommodations while traveling on interstate carriers is a right specifically guaranteed by the Interstate Commerce Act and it cannot be denied by the Federal Government, or any of its agencies, without violating the Fifth Amendment to the Constitution.

REGULATIONS ATTACKED

The Southern Railway's regulations also are attacked as unlawful because they permit discrimination against individual passengers, white as well as colored, solely on the basis of the passenger's race or color.

The District Court upheld the validity of the regulations on the ground that the law is satisfied if separate but equal" accommodations are provded for colored passengers and that such accommodations are "equal" if they are proportionate to the average demand for dining car service by colored passengers.

This ruling is challenged by the Justice Department. The Department's brief asserts that the test to be applied to the regulations is whether they provide for service which is nondiscriminatory as between individual passengers without regard to thier race or color.

The regulations clearly fail to meet this test, the brief maintains When a colored passenger seeks service at a time when the table reserved for colored travelers is fully occupied but there are vacant seats elsewhere in the dining car, the brief points out, service which is available to other passengers is denied to him solely because of his race.

Similarly, the brief states, if a white passenger seeks service when there are vacancies only at the table reserved for colored passengers, service available to other passengers is withheld from him solely because he is white.

Pointing out that the regulations compelling colored passengers to be segregated from other passengers carry an indorsement of the Federal Government, the Justice Department argues that "Such legally enforced racial segregation in and of itself constitutes a discrimination and inequality of treatment prohibited by the Constitution and the Interstate Commerce Act."

LAW OF BIAS QUESTIONED

Under the regulations, persons traveling together, if they are of different color, cannot eat together regardless of their personal desires, the brief states. Even if he so wishes a white passenger is forbidden to sit at a colored table.

The point the Justice Department makes in this connection is that it is one thing to permit an individual to act on his personal prejudices but it is something entirely different for the law to force such prejudices upon everyone else.

Racial segregation under compulsion of law is not equality, the brief asserts. It also is argued that segregation "imports, and is designed to import, the inferiority" of colored people.

The Justice Department launches in its brief a full-scale attack on the "separate but equal" doctrine, enunciated by the Supreme Court in Plessy vs Ferguson, decided more than fifty-three years ago and holding that segregation does not violate the Fourteenth Amendment.

Brief Filed By Commission Through Counsel

Unit Argues Congress Has Power Of Regulation

WASHINGTON, D. C.-(NNPA)-The Interstate Commerce Commission, through its own counsel, filed a 124-page brief asking the United States Supreme Court to uphold race segregation in interstate travel.

The Commission's brief was filed in the case of Elmer W. Henderson, director of the American Council on Human Relations, which is scheduled to be argued this week in the high tribunal.

Mr. Henderson appealed from a decision of the Federal District Court at Baltimore dismissing his complaint to set aside an ICC order approving regulations issued by the Southern Railway.

These regulations provide for reserving exclusively for colored passengers two end tables nearest the kitchen, with a curtain separating that table from other tables in the diner, which are reserved exclusively for white passengers.

PERMIT BIAS?

Both counsel for Mr. Henderson and Solicitor General Philip B. Perlman, representing the United States, argue that the regulations are unlawful because they permit discrimination against individual passengers, white as well as colored.

They also argue that enforced racial segregation, sanctioned by an agency of the government, denies colored passengers equality of treatment, and ask the court to reexamine and overrule its doctrine of "separate but equal" facilities.

In its brief, the commission argues that Congress has the power to regulate racial segregation in interstate travel but has refused to legislate upon that subject over a long period of years.

It also is argued that no court, insofar as is known, that decided that segregation, in itself, is forbidden by the Constitution.

"In the face of repeated refusal of Congress to prohibit segregation, and repeated refusal of courts to hold that segregation is prohibited under existing law," the ICC's brief states, "it would have been a brazen and unwarranted unsurpation of power by this administration arm of government, to have attempted prohibition by segregation," as Mr. Henderson contends.

CONSTRAINT CLAIMED

The brief adds that the Federal District Court at Baltimore "felt constrained to follow existing law and superior judicial authority, as that was understood, rather than to ignore law and decide according to the wishes" of Mr. Henderson.

In more than a half century since the Supreme Court the case of Plessy vs. Ferguson, which any Act of Congress. It is always inequality of treatment which leads to invalidation of decisions of the Supreme Court statute, carrier rule, and self, including cases in which the authority requiring separation race," the commission asserts.

high tribunal ordered the admission of Lloyd Gaines and Mrs. Ada Sipuel Fisher to law schools of the Univerity of Missouri and the University of Oklahoma, respectively, in the absence of equal facilities at the corresponding colored state-supported schools.

The Southern also points out that the ICC has sanctioned regulation of interstate carriers requiring segregation of colored and white passengers with equal treatment of each group.

It adds that the safety and comfort of passengers and good order on trains prompts racial segregagation and that the Southern's rule accords white and colored passengers equal treatment indining cars.

Representing the commission are Daniel W. Knowlton, its chief counsel, and Allen Crenshaw, assistant chief counsel.

Attorneys for the Southern Railway are Sidney S. Alderman, Arthur J. Dixon and Charles Clark.

Highest Cou, 'Segregation

News. Fri. 14

BY LESLIE CARPENTER
News Washington Bureau

WASHINGTON, Oct. 14—The United States Supreme Court, which has been taking the action on racial matters while the president and Congress have been getting the most publicity, faces one of the most explosive segregation questions of all in this term.

The question was shot by the Justice Department in a lengthy brief recently:

Is it unconstitutional to segregate in public places—hotels, restaurants, movie theaters, football stadiums and the like—when "separate but equal" facilities are provided for Negroes?

The Justice Department maintains that such segregation violates the constitution, throwing the question before the Supreme Court for a ruling.

The action of the Justice Department is most unusual in that it has presented the question while opposing another federal agency. The department is taking the side of a man—a Negro—who is suing the Interstate Commerce Commission because he was not served in a railroad dining car seven years ago.

THE ACTION BY the Justice Department has been denounced on the floor of Congress. Rep. Ed Gossett, of Texas, was the first to call the attention of the House of Representatives to the case, crying that the Justice Department "is asking the Supreme Court for anti-social legislation by judicial fiat."

Continued Gossett: "Could it be that the great Department of Justice is becoming a political adjunct of those who would pander to ignorance and prejudice to purchase votes at the sacrifice of principles? . . . Those responsible are either villains or fools!"

Rep. William Colmer, of Mississippi, also delivered a fiery speech to the House, declaring: "This is but another evidence of the bold and brazen effort of those now in charge of our government to obtain by indirection what Congress has refused to do."

The doctrine that segregation is not discrimination rests upon an 1896 decision of the Supreme Court in Plessy vs. Ferguson. At that time, the court dismissed the contentions that "the enforced separation of the two races stamps the colored race with a badge of inferiority," adding, "If this be so, it is not by reason of anything found . . . but solely because the colored race chooses to put that construction upon it."

The court also had a dissent written by Justice Harlan, who said: "Our constitution is color blind and neither knows nor tolerates classes among citizens. . . . The thin disguise of "equal" accommodations. . . . will not mislead anyone. . . ."

The case which again brought this issue before the court—where the Justice Department now seeks to have the 1896 decision reversed—was filed by Elmer W. Henderson, a Negro, who was formerly a field representative of the president's committee on fair employment practices of the War Manpower Commission.

Henderson was traveling on the Southern Railway between Washington and Birmingham in May, 1942, as a first-class passenger.

According to his brief, when the dining car opened for service at 5:30 p.m., white passengers were seated at the two end tables which the railroad had reserved for Negroes. Henderson was told to come back. He returned twice, but a place was never found to serve him, and the dining car was dropped from the train at 9 p.m.

Henderson sent a complaint to the I. C. C., which held that the railroad's dining regulations met the requirements of the interstate commerce act, which, in part, reads: "It shall be unlawful for a common carrier . . . to subject any particular person . . . to any undue or unreasonable prejudice or disadvantage in any respect whatsoever. . ."

* * *

HENDERSON WENT TO COURT, suing both the I. C. C. and the railroad company. A three-judge federal District Court in Maryland ruled against Henderson, holding that neither the constitution nor the interstate commerce act prohibited segregated dining car services if the accommodations were proportionate to the demand for service.

Henderson appealed to the Supreme Court, and, then, in a surprise action, the Justice Department transmitted a brief to the court asking the court to outlaw as obsolete the whole doctrine under which racial segregation is permitted in public places if separate and equal facilities are provided for each race.

Although Congress has not taken any action on civil rights legislation—despite a tremendous amount of publicity on the subject—the Supreme Court in recent years has outlawed the white primary as unconstitutional; overruled the practice of separate seating in trains, buses and other such transportation media in interstate commerce, and rejected racial covenants on private property as illegal.

38b 1949

Illinois

Made to Ride in J.C. Coach, American Woman Sues

Baltimore Md

CHICAGO — Lawyers for the Nashville, Chattanooga and St. Louis Railway failed last week to have the Circuit Court throw out a $50,000 "damage and discrimination" suit filed in November, 1947, for Miss Jimmie Sue Willingham by Royal E. Spurlark, local attorney.

Judge Harry M. Fisher ordered the case tried in Illinois when attorneys for the railroad attempted to have it tried in Tennessee. The judge ruled that since the railroad was doing business in this State it must answer the complaint of an Illinois resident.

Pushed From White Car

Miss Willingham charges that she was pushed violently from a rear car carrying white passengers by the train conductor and other railroad employees, into a filthy jim-crow coach behind the engine.

When she removed to move from the seat she occupied, according to her complaint, she quoted the conductor as saying:

"Why don't you get out of this car; you know you belong up there with the rest of the n—s. If you can't remember your place down here, we'll teach you where you belong in Dixie."

Tells of Threat

Miss Willingham alleges further that the conductor threatened to throw her off the train and place her in jail in Chattanooga.

Lawyers for the railroad contended that the conductor had to comply with the discrimination laws in Tennessee which require segregation of white and colored passengers, even though the U. S. Supreme Court has ruled against this policy.

Attorney Spurlark said Judge Fisher's ruling to hold the railroad liable for trial on his client's charges in Illinois should make other Southern railroads leaving Chicago respect the rights of colored passengers traveling to Dixie.

Forced To Ride Jim Crow To Georgia

CHICAGO—The Chicago Eastern Illinois, Nashville-Chattanooga and Louisville-Nashville railroads were named defendants in suits amounting to a total of $150,000 in damages filed in Cook County Superior court here last week on jim crow counts. Plaintiffs in the suit are 15 Negro passengers, including three children, who complained of being forced to ride in jim crow coaches from Chicago to Georgia to spend the 1948 Christmas holidays.

The passengers, buying tickets to various points in Georgia, were placed in a coach "assigned to the exclusive use of Negroes." Each seeks $10,000 from the rail companies.

Their respective suits, filed by Atty. David Wilson, member of the National Lawyers' guild, complained that during travel on Christmas Day, "ice formed in and about the windows, walls and roof of the coach" and their requests for a warmer coach or permission to enter other cars were ignored. One woman and her child were allowed to enter another coach, but only for a half hour.

One of the passengers, Nathan Hicks, is still suffering from an arthritis condition as a result of the inadequate facilities. Others in the case, mostly Chicagoans, are Mrs. Lois Hall and son, Robert F.; Ida Mae Clayton, Pecola Howard, Lyle B. Washington, Mrs. Lavonia Washington, son, Howard; Dr. William F. Dendy, Willie Mae Martin, Annie Hubbard and Ruby Jones Dudly.

15 Persons File Charges In Chicago

Complain Of Being

15 Persons File Charges In Chicago

Complain Of Being Forced To Ride Jim Crow To Georgia

CHICAGO—The Chicago Eastern Illinois, Nashville-Chattanooga and Louisville-Nashville railroads were named defendants in suits amounting to a total of $150,000 in damages filed in Cook County Superior court here last week on jim crow counts. Plaintiffs in the suit are 15 Negro passengers, including three children, who complained of being forced to ride in jim crow coaches from Chicago to Georgia to spend the 1948 Christmas holidays.

The passengers, buying tickets to various points in Georgia, were placed in a coach "assigned to the exclusive use of Negroes." Each seeks $10,000 from the rail companies.

Their respective suits, filed by Atty. David Wilson, member of the National Lawyers' guild, complained that during travel on Christmas Day, "ice formed in and about the windows, walls and roof of the coach" and their requests for a warmer coach or permission to enter other cars were ignored. One woman and her child were allowed to enter another coach, but only for a half hour.

One of the passengers, Nathan Hicks, is still suffering from an arthritis condition as a result of the inadequate facilities. Others in the case, mostly Chicagoans, are Mrs. Lois Hall and son, Robert F.; Ida Mae Clayton, Pecola Howard, Lyle B. Washington, Mrs. Lavonia Washington, son, Howard; Dr. William F. Dendy, Willie Mae Martin, Annie Hubbard and Ruby Jones Dudly.

Appeal Ky. Bus Jim Crow Case

CINCINNATI — An appeal in the case of Elizabeth Whiteside against the Southern Bus Lines Company was argued this week before the Circuit Court of Appeals here by attorneys for the National Association for the Advancement of Colored People.

Miss Whiteside was forcibly ejected from a bus en route from Saint Louis to Paducah, Ky., when she refused to move to the rear of the bus as requested. The United States District Court in Paducah held that the regulation of the bus company requiring Negroes to sit in the rear was a reasonable regulation and that Miss Whiteside's refusal to comply with the regulation was grounds for her removal from the bus. NAACP attorneys in appealing the case maintained that the bus company's regulation was unreasonable and could not be enforced by either federal or state agencies without violating the constitutional rights of the plaintiff.

The case was argued by NAACP Assistant Special Counsel Robert L. Carter and Martin A. Martin of Richmond, Va. Joseph Freeland of Paducah argued the case in the lower court, on behalf of the Paducah branch of the Association.

Appeals Court Upholds Negro In Bus Suit

Courier-Journal

$50,000 Damage Case Remanded for Trial

White, 11-24-49

Cincinnati, Nov. 23 (AP)—The U. S. Court of Appeals today reversed a lower-court ruling that Elizabeth Whiteside, a Negro, could not recover damages for being ejected from a bus at Wickliffe, Ky.

Louisville, Ky.

The woman's suit for $50,000 damages against the Southern Bus Lines, Inc., was denied by Judge Roy M. Shelbourne, U. S. district judge in Western Kentucky.

38b

Dismissed Suit

Judge Shelbourne, in his ruling, dismissed her damage suit, held that "it is the right and duty of the bus company to evict passengers who failed to abide by rules for the safety, comfort and convenience of its passengers."

In its opinion, the Sixth District Appeals Court—which remanded the case to the District Court for trial—said:

"We indicate no view as to the reasonableness or necessity of the challenged regulation under conditions which exist in Kentucky, nor as to its validity under State law when applied to local traffic.

Took Seat In Front

"We hold that as here applied to a passenger traveling on an interstate journey upon an interstate conveyance, it constitutes a burden upon interstate commerce and furnishes no immunity to the bus company for damages which may flow from its enforcement."

Miss Whiteside, 26, was on a bus journey from St. Louis to Paducah, the testimony before the District Court disclosed.. She occupied a seat in the front of the bus. When the vehicle reached Wickliffe, she was requested to move to the rear of the bus and when she refused was removed.

When the case was argued in Cincinnati, Negro attorneys from New York and Richmond, Va., participated.

Jim Crow Law Repeal Beaten In Maryland

Annapolis, Md., April 2 (AP).—A final and desperate attempt to repeal the old Jim Crow Law was made in the House today, without success.

The repealer did better on votes than yesterday, but it still failed of a constitutional majority. It died for the session.

Delegate Sklar (D., Balto 4th), by a scant 53-51 vote got the house to reconsider its Friday vote. On the final roll call, 57 delegates voted for repeal of Jim Crow and 47 against. However, 62 votes were needed.

On yesterday's test, the vote was 49-47.

The law, now 45 years old, requires segregation of Negro and white passengers on common carriers. It is only enforced on Chesapeake Bay ferries.

38b 1949

National Airport

AFRO Tests Edict Against Bias at National Airport

The Afro American Baltimore, Md. Sat. 1-8-49

Pictured above are members of the AFRO sponsored delegation who tested the non-segregation edict at the Washington National Airport on Tuesday. They are shown listening to Paul F. Boyd (left), general manager of the Air Terminal Service, Inc., after they had been refused service. From left to right are Al Lockhart, agency director of USSA; Mrs. Margaret D. Bowen of New Orleans, and Mrs. Velma Davis Perkins of Baton Rouge, La., both delegates to the AKA's annual boule, who volunteered to make the test. They were part of the group which accompanied AFRO representatives. Miss Patricia Huggins, junior at Howard University, also a member of the delegation, is not shown in the photo. Sat. 1-8-49

CAYTON

Old Jim Crow Is on the Run At D. C. Airport

Pittsburgh Courier

By HORACE CAYTON

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier. — The Editors.)

Mr. Cayton

IF YOU are in Washington, D. C. and want a square meal, just drop out to the airport. Of course that means that you will have to drive clear to Virginia but that's of little importance—the point is you will get a square meal. But on the other hand I don't know if you will. Maybe you will just get a hamburger and a malted milk. I've forgotten what they serve at the airport, having been traveling by bus and carrier pigeon lately.

I say drop out to the airport, or if you are the conventional type just drive, because they have broken the color line down Virginia way—that is, as far as the airport restaurant is concerned. It's a great step forward and don't think I am being cynical about the whole thing, but pardon me when I don't jump for joy.

Now, bless Bess, if you are traveling to Chicago or Detroit or Los Angeles (heaven forbid) you can get a cup of coffee before you get on a plane. Or if you live in Washington you can travel fifteen miles and get some good old Virginia ham. Of course you can also eat other places besides standing on the street with a paper bag if you know the right Government cafeteria. That's providing you can find the cafeteria after you get into those buildings. Once I wandered around three days until I inquired directions from a man with a long white beard who said he had been lost for six months. Or you can go up to G Street or H Street and eat at a Negro restaurant if you have taxi fare. That would be cheaper than driving to Virginia. But it's a comfort to know that all other things being equal—and they never are—you can drive over to Virginia way and get a dry American cheese sandwich without being thrown out bodily by one of those big, strapping, healthy-looking, Nordic young gentlemen that the airlines recruit from God knows where.

* * *

LIKE I SAY, you can eat at the airport now and that's progress with a capital "P" and two "ss." I am just a dirty lowdown ingrate not to appreciate it. Something should be done about people like myself who don't appreciate this gradual hacking away at the color line and scoff at small, though important, gains. Probably two things make me freeze my tongue in my cheek so that it's difficult to chew tobacco. Sat. 1-22-49

During the war, for a number of reasons, I was popping in and out of Washington, D. C., nearly every week. I would be downtown conferring with brass hatted generals or bloated bureaucrats and then would come lunch time. Instead of following my usual custom of grabbing a stool in Walgreen's, Whalen's, or Steinway's I would have to either wander around to find a Government cafeteria or take a cab to the local ghetto.

* * *

WHAT HAPPENED WAS that I would usually try to find a cafeteria for a half-hour then give up in despair and go out to G Street. Besides costing a lot of money I would not have enough time to eat and started suffering from malnutrition. Moreover, I couldn't take the taxi fare off my income tax which seemed to me decidedly unfair as that was the tax I had to pay for being colored. By the way, when I get around to it I am going to start a movement to increase the expense accounts of Government workers who have to travel. It just costs them more and the Government should face up to it fairly (and I hate this word as I always get it in letters dunning me for some bills I haven't paid) frankly. The second thing that has inspired this little piece was the recent study made of Washington, D. C., which showed that as far as treatment of the Negro is concerned our Nation's Capital is just two hoops and a holler ahead of Georgia. Sat. 1-22-49

Sure I know that we have to take things slowly; that race prejudice will not disappear overnight; that feeding Negroes in Virginia is a great gain, but, and to use that nasty word again, frankly I am not impressed. The sum total, as far as I can see of this momentous study; the labors of this impressive committee and the Truman Administration is that by driving fifteen miles (and I hope that's the distance; I haven't looked at a map lately) is that I can get a hot roast beef sandwich in Virginia.

* * *

A ROCK IS worn away by drops of water. But who wants to be a drop of water? I'm convinced that in the long run old Jim crow will be dead, but, unfortunately, so will I.

National Airport Ends Restaurant Jim Crow

New York N.Y. Wed. 1-5-49

WASHINGTON, Jan. 4 (UP)—Restaurants at the National Airport in Virginia dropped their racial bars today in compliance with a federal court order upholding a government ban on segregation. Officials of Air Terminal Services, Inc., which operates the dining room and coffee shop, reported "no trouble at all" in the switch, but three of its first four Negro customers said they had considerable trouble getting served. They reported that a waitress ignored them for three hours before accepting their orders.

One was Edgar G. Brown, director of the National Negro Council, who has been conducting an intermittent sit-down strike in the coffee shop ever since the nonsegregation order was issued by the Civil Aeronautics Authority, operators of the airport. Wed. 1-5-49

The Rev. Earl L. Harrison, pastor of the Shiloh Baptist Church, said he entered the coffee shop with two other Negroes and was served without delay while the others waited. He is light-complexioned.

Edgar Brown (What, you again!) with superb timing and showmanship stole all the thunder during the recent lifting of racial bans at Washington airport dining room, his photo, utterances and National Negro Council making all the wire services and Newsweek mag. Public mistakingly believes he did all the hard [illegible]

Insists On Pr... Of Suit Agai...

WASHINGTON, D. C. — (NNPA) — Mrs Helen Nash, wife of Dr. William Nash, a physician, is insisting on the prosecution of her suit for refusal of Air Terminal Services, Inc., to serve her in the dining room at the Washington National Airport.

When her plane to New Orleans was delayed in departure on February 17, 1947, Eastern Air Lines sent her and the other passengers on the same flight into the dining room for dinner. She was refused service because she is colored.

Mrs. Nash brought suit against Air Terminal Services, Inc., the concessionaire at the airport, Eastern Air Air Lines and the Civil Aeronautics Administrator for damages of $48,000.

Judge Frank B Bryan in the District Court at Alexandris, Virginia, ruled that Virginia Jim Crow statutes were not applicable to the airport. Charles H. Houston prominent attorney, indicated his desire to dismiss the three suits; including Mrs. Nash's, which he had brought on account of colored travelers being refused service at the airport.

REFUSES DISMISSAL.

Mrs. Nash refused to allow her suit to be dismissed. She said she had brought it because she had been refused service and that she was determined that it be tried

Judge Bryan wanted to get rid of the suits last Wednesday, but when Mrs. Nash informed him that she desired other counsel, he allowed her until February 28 to obtain new counsel.

Mr. Houston said he had been a party to negotations with Justic Department lawyers in getting the airport regulations changed to ban racial segregation and discrimination in facilities at the airport and he felt he would be embarrassed if he represented Mrs. Nash. Other lawyers in the case said there would be no embarrassment if he continued in the case, but Mrs. Nash said, under the circumstances, she wanted new counsel and was allowed time to obtain them.

JIM CROW AT AIRPORT

ABOLISHED

SEGREGATION ENDED

BY EXECUTIVE ORDER,

TRUMAN OPENS AIRPORT TO ALL:

President Acts While 3 Suits Are Pending

WASHINGTON

Acting upon instructions from the White House, Delon W. Reintzel, Civil Aeronautics Administrator, on Monday ordered segregation and discrimination at the Washington National Airport discontinued immediately.

The end of discriminatory practices which for years have plagued colored air travelers was accomplished through an amendment of Section 570 of Chapter 2 of regulations governing administrative procedure.

The amendment (Section 570-28, Discrimination or Segregation) reads:

"Operation of all facilities in the Washington National Airport shall be rendered without discrimination or segregation, regardless of race, or color or creed. The amendment shall be effective immediately."

Wrote President Truman

On Sept. 9, Mrs. Sadie T. Alexander, Philadelphia attorney and member of the President's Committee on Civil Rights, was refused a glass of milk at the airport soda fountain but told that she could buy a carton of milk and drink it in the lounge. She subsequently filed suit.

Shortly after President Truman's November victory at the polls, she wrote him a letter in which she said that she believed that the entire matter of segregation at the airport could be settled by an opinion from the Attorney General.

"I do not believe," Mrs. Alexander wrote, "that the National Airport has the right to discriminate between interstate passengers on the ground of color.

"I dislike legal action because our enemies abroad make capital out of court cases. I am not interested in monetary damages."

She then asked the President to request a legal opinion from the Attorney General on the basis of the pleadings in her suit against the airport.

Urged Truman to Act

If Attorney General Tom Clark found that the President has authority to eliminate discrimination in the Airport, she urged him to do so.

The order ending segregation and discrimination at the airport came one month before Mrs. Alexander's suit and those of two other matrons were scheduled to be argued in the U.S. District Court at Alexandria, Va. on Jan. 27.

MRS. SADIE ALEXANDER

2 Others Filed Suits

The other plaintiffs are Mrs. Helen Nash and Mrs. Lilly Cunningham, both of New York City.

Mrs. Nash was denied dining room service at the Airport on Feb. 17, 1947, when her plane was delayed while she was en route to New Orleans from Boston.

Mrs. Cunningham's suit followed a similar experience on the same day as she was traveling from NYC to New Orleans. Mrs. Cunningham's plane was delayed and she was advised to get dining room service at the Airport by the air line on which she was a passenger but was denied the service because of her color.

May Dismiss Suits

Charles H. Houston, attorney for all three plaintiffs declared Monday:

"My thought frankly is to dismiss the suits under the idea that we won."

However, Mr. Houston said, he would have to get the consent of his clients before taking such action.

OUR CIVIL RIGHTS

by Charles H. Houston

The big question around Washington as this column is being written is how soon segregation will be abolished at the Washington National Airport. Although the Airport is on the Virginia side of the Potomac River, the Airport is Federal territory in the exclusive control of the Federal Government.

The catch is that the Federal Criminal Code provides that State criminal laws shall be effective on Federal territory located within a State, and Virginia has a law passed in 1926 requiring segregation in public halls and imposing criminal punishment both on the owner who fails to require and on the patron who refuses to observe segregation.

Separate Waiting Facilities

The airport has no segregation in the waiting room, but the food concessionaires exclude colored people from the dining room and coffee shop, will serve them at the soda fountain provided they take their drinks elsewhere before consumption.

The concession contract dated February, 1941 between Air Terminal Services, Inc., and the United States requires the concessionaire to maintain "a dining room, coffee shop and soda fountain, employees' cafeteria and cafeteria for colored persons."

The colored cafeteria is down on the ground floor of the service end of the Terminal Building, while the dining room, coffee shop and soda fountain are upstairs off the main waiting room.

The cafeteria has a different and more limited bill of fare than the coffee shop or dining room.

At least four suits have been filed by colored passengers refused service in the dining room, coffee shop or at the soda fountain.

On December 27, 1948 the Federal Administrator of Civil Aeronautics issued a regulation that, effective immediately, service should be rendered in all facilities of the airport without segregation or discrimination as to race, color or creed.

No Explanation

No one has ever attempted to explain why there could be no segregation in the waiting room if Virginia law applied, yet colored people could be excluded from the dining room or coffee shop or refused at the soda fountain.

Never-the-less the concessionaire has not honored the regulation of the Administrator but has applied to the Federal Court in Alexandria for an injunction against enforcement of the regulation.

This injunction was heard Monday, January 3; and the cases of Helen Nash, Lily Cunningham, and Sadie T. M. Alexander, who were refused service last February and last September, will be argued January 6.

Meanwhile, other colored passengers are presenting themselves at the dining room, coffee shop and soda fountain and requesting service. They are conducting themselves on the highest level of courtesy and conduct, as we always must do in order to show we merit the rights we seek.

It may be a few days before we win this fight against segregation at the airport, but win we will, and soon, as another milestone on the road to full civil rights.

North Carolina

Serving 30 Days for Testing Jim-Crow Law

4 Martyrs Begin Jail Terms

IGAL ROODENKO BAYARD RUSTIN JOSEPH FELMET ANDREW JOHNSON

Pittsburgh Courier

NEW YORK—Bayard Rustin and Igal Roodenko boarded a train Sunday for North Carolina where they voluntarily surrendered Monday to serve thirty-day road-gang sentences for defying the State's jim-crow law.

Also surrendering were Joseph Felmet of Asheville, N. C., and Andrew Johnson of Cincinnati. All four were arrested in April, 1947, when an interracial group took a bus trip through the South to determine whether

Southern States are adhering to segregation law today.

1946 decision of the U. S. Su- In the segregation case, the preme Court banning segrega- court upheld the conviction of two tion of Negroes in interstate Negroes, Andrew S. Johnson and travel.

The two Negroes (Rustin and Bayard Rustin, and two white men, Johnson) seated in the white Igal Roodenko and Joseph Felsection of a bus and the two mont, as violating the Negro-white whites seated in the Negro sec- seating rule on an intrastate bus. tion defied police orders to move The bus driver, Ned Leonard, to their respective segregated said the four took seats together sections. in the front of his Carolina Trail-

They were arrested, convicted ways bus, which ran between and sentenced to thirty days Raleigh and Charlotte, N. C. They hard labor on the road gang stated they were interstate pas- which is the maximum under sengers bound for Danville, Va., ac- North Carolina's jim-crow law. cording to the bus driver. He said When their conviction was re- that he told them the bus went cently upheld by the North Caro- only from Raleigh to Charlotte, but lina Supreme Court, they decided they refused to move when he of- to forego an appeal to the U. S. fered to change their tickets. Supreme Court.

30 Days on Road

They took this position in order to avoid prejudicing another case which is coming before the U. S. Supreme Court and which is considered a better constitutional test of State jim-crow laws.

That case involves Howard N. Lee, Negro member of the U. S. Olympic boxing team, who was arrested for refusing to sit in the Negro section of a train.

The Rustin - Roodenko - Felmet-Johnson case was complicated by the fact that the four men were making stopovers for meetings in North Carolina before crossing in Tennessee. The 1946 ruling of the U. S. Supreme Court only applies to buses and trains going from one State to another and the prosecution argued that since the four were making stopovers, they were not interstate passengers.

SEGREGATION LAW UPHELD

North Carolina Court Backs Rule on Public Carriers

RALEIGH, N. C., Jan. 7 (UP)—North Carolina Supreme Court upheld a public-carrier

4 Who Defied Bus Jim Crow Going to Jail

Pittsburgh Courier

NEW YORK (ANP)—Two Negroes and two whites who ran afoul of North Carolina's jim-crow justice in their attempt to test adherence in four Southern States to a recent U. S. Supreme Court decision banning racial segregation on interstate trains and buses, decided here last week not to push their case any further.

The four—Bayard Rustin, race relations secretary, Fellowship of Reconciliation and Andrew Johnson, law student, University of Cincinnati, both Negroes, and Igal Roodenko, horticulturist and printer, and Joe Felmet, Asheville in Chapel Hill, N. C., the next day.

BAYARD RUSTIN AND ASSOCIATES TO SERVE 30 DAYS ON ROAD GANG

Black Dispatch

Will Surrender to Conviction in Jim Crow Bus Violation

Oklahoma City, Okla.

ANOTHER PAL TO BE "GUINEA PIG"

Sat. 3-19-49

NEW YORK — (ANP) — Two Negroes and two whites who ran afoul North Carolina's jim crow justice in their attempt to test adherence in four southern states to a recent U. S. supreme court decision banning racial segregation on inter-state trains and buses, decided here last week not to push their case any further.

Sat. 3-19-49

The foursome—Bayard Rustin, race relations secretary, Fellowship of Reconciliation and Andrew Johnson, law student, University of Cincinnati, both Negroes; and Igal Roodenko, horticulturist and printer; and Joe Felmet, Asheville, N. C., law school graduate announced that they would not appeal their conviction in North Carolina but would serve out their 30 days sentences on a road gang.

Sat. 3-19-49

The decision was made, according to Ruston, because an appeal of their case might prejudice what NAACP attorneys labelled "a better case" now pending in the Virginia Supreme court of appeals. This case involves the arrest and conviction in Alleghany county of Howard Norvell Lee. Howard university student and U. S. Olympic boxing team member, for refusing to sit in the Negro section of a train going from Covington, Va., to Washington.

Rustin and his three companions were arrested on April 7, 1947, in Chapel Hill, N. C., while on the "testing mission" with 12 others. Rustin and Johnson invited arrest by sitting in the white section of a bus, while the other two achieved the same result by sitting in the Negro section. A month later, the quartet was convicted on the ground that while traveling from North Carolina to Virginia, they intended to stop overnight at Greensboro, N. C., thus making them subject to state, not federal law. All were given 30 days hard labor each on the convict road repair gang in Orange county, N. C.

The state supreme court turned down their appeal last Jan. 17, and they were set to carry the case to the U. S. Supreme court. Sponsoring the appeal was the Fellowship of Reconciliation, Congress of Racial Equality, and the NAACP.

However, the NAACP decided that the Lee appeal was "a better case," since it did not carry the complication of the stopover. On this decision, Rustin and his companions announced they would leave New York on March 20 to report for the convict road work in Chapel Hill, N. C., the next day.

3 Testing Jim Crow Now Off Chain Gang

Chicago Defender

NEW YORK — Bayard Rustin, Igal Roodenko and Joseph Felmet, the latter two white, members of the Fellowship of Reconciliation's interracial team which defied Jim Crow laws in a tour of the south in 1947, were released from chain road gangs in North Carolina Apr. 13, after serving their 30-day sentences.

Chicago Sun

The trio were arrested at Chapel Hill while on a tour to determine whether the South is yet abiding by the U. S. Supreme Court's 1946 decision outlawing segregation in interstate travel. They were sentenced for violating state segregation laws.

Refuses To Ride In Back Seat

The Defender Chicago Ill.

By JOHN LeFLORE

(Defender Southeastern Bureau) MOUNT AIRY, N. C. — A 57-year-old woman was fined $25 and costs Monday for allegedly violating North Carolina's Jim Crow travel law.

Determined to uphold segregation as long as possible, a recorder's court judge here imposed the penalty against Mrs. Smithey Reynolds.

The driver, Raymond Jenkins, said Mrs. Reynolds sat in a seat in the center of the bus. He stated she had a ticket to Little Richmond, N. C., and refused to move when commanded to do so.

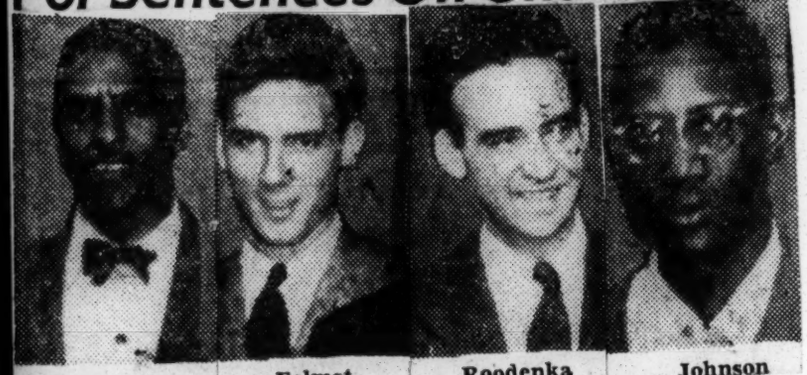
She was arrested by Officer J. H. Moody of the Mount Airy police force when the bus driver swore out a warrant after receiving instruction from his line's head office in North Wilkesboro. The bus was delayed two hours by the

Order From Home Office

She allegedly entered the bus at 4:15 p. m., its departure time. She refused to heed demands by the bus driver that she take the back seat.

She appealed to Surry Superior

4 Who Defied Jim Crow Ready For Sentences On Chain Gang



Rustin Felmet Roodenka Johnson

NEW YORK—Four men, one a Southerner, were on their way to North Carolina to serve 30-day sentences on the state road gangs because they ignored state Jim Crow laws while riding on buses in April, 1947.

They are Bayard Rustin, New York, and Andrew Johnson, Cincinnati, and Igal Roodenka, New York, and Joseph Felmet, Nashville, N. C., both white.

All four were arrested in April, 1947, when an interracial group took a bus trip through the South to determine whether southern states are adhering to a 1946 decision of the U. S. Supreme Court banning segregation of Negroes in interstate travel.

The two Negroes seated in the white section of a bus and the two whites seated in the Negro section defied police orders to move to their respective segregated sections. They were arrested, convicted and sentenced to 30 days hard labor on the road gang, which is the maximum under North Carolina's Jim Crow law.

When their conviction was recently upheld by the North Carolina Supreme Court, they decided to forego an appeal to the U. S. Supreme Court. They took this position in order to avoid prejudicing another case which is coming before the U. S. Supreme Court and which is considered a better constitutional test of state Jim Crow laws.

That case involves Howard M. Lee, Negro member of the U. S. Olympic boxing team, who was arrested for refusing to sit in the Negro section of a train.

Determined to uphold segregation as long as possible, a recorder's court judge here imposed the verdict against Mrs. Smithey Reynolds. She appealed to Surry Superior Court and made a bond of $300.

OVER MOTOR

Mrs. Reynolds was charged with violating the State's travel segregation law by refusing to take a back seat over the hot motor of a Carolina-Tennessee bus when she boarded it here on May 15.

She allegedly entered the bus at 4:15 P. M., its departure time, and refused to heed demands by the bus driver that she take the back seat.

The driver, Raymond Jenkins, said Mrs. Reynolds sat in a seat in the center of the bus. He stated she had a ticket to Little Richmond, N. C., and refused to move when commanded to do so.

The passenger was arrested by Officer J. H. Moody of the Mount Airy police force when the bus driver swore out a warrant after receiving instructions from his line's head office in North Wilkesboro. The bus was delayed two hours by the incident.

Sits in 'White' Seat; Fined $25

MOUNT AIRY, N. C.—A 57-year-old woman was fined $25 and costs Monday for allegedly violating North Carolina's Jim-Crow law.

CAROLINA BUS RIDE IS COSTLY

MOUNT AIRY, N. C.—(ANP)—It cost Mrs. Smithie Reynolds of Toast community, near here, $80.15 for a one-mile bus ride Friday a Surry County jury found her guilty of violating the state's jim-crow laws. She was fined $25 and cost, the total amounting to $80.15. She was represented by two Negro attorneys from Winston-Salem.

Interstate Jim Crow Bus Travel Again Ruled Out

CINCINNATI — Regulations by bus lines and other public carriers requiring segregation of passengers in interstate travel were invalidated by a decision handed down today by the United States Court of Appeals sitting here.

The court decision, based on the Supreme Court ruling in the Morgan case, held that the regulation of the Southern Bus Lines separating passengers according to race placed an undue burden upon interstate commerce.

"The requirement that she (Miss Elizabeth Whiteside, the complainant) change her seat with all her accompanying impediments the moment she crossed the Kentucky line, was," the court found, "a breach of that uniformity which, under the Morgan case, is a test of the burden placed upon interstate commerce."

NAACP IN CASE

The case was carried to court by lawyers for the National Association for the Advancement of Colored People following the forcible ejection of Misstion Whiteside from a bus en route from St. Louis to Paducah, Ky., on May 6, 1946. The Federal District Court in Paducah held that the bus regulation was reasonable. Maintaining that Miss Whiteside's constitutional rights had been violated, NAACP Attorneys Robert L. Carter of New York, Martin A. Martin of Richmond, and Joseph Freeland of Paducah carried the case to the Court of Appeals, where it was argued before Judge Hicks, Simons and McAllister on October 18, 1949.

The Court of Appeals last week reversed the decision of the lower court and remanded the cases to the district court for a new trial.

Morgan Case Ruling Cited

Bus Policy Called 'An Undue Burden'

CINCINNATI—Regulations by bus lines and other public carriers requiring segregation of passengers in interstate travel, were invalidated by a decision handed down last Friday by the U.S. Court of Appeals here.

The decision, based on the Supreme Court's ruling in the Irene Morgan case, held that the regulation of the Southern Bus Lines separating passengers according to race placed an undue burden upon interstate commerce.

Morgan Case Factor

The Appellate Court ruled that: "The requirement that Miss Elizabeth Whiteside, the complainant, change her seat with all her accompanying impediments the moment she crossed the Kentucky line, was a breach of that uniformity which, under the MORGAN case, is a test of the burden placed upon interstate commerce."

The case was carried to court by NAACP lawyers following the forcible ejection of Miss Whiteside from a bus en route from St. Louis to Paducah, Ky., on May 6, 1946.

Lower Court Reversed

The Federal District Court in Paducah held that the bus regulation was reasonable.

Maintaining that Miss Whiteside's constitutional rights had been violated, Robert L. Carter of New York, Martin A. Martin of Richmond, Va., and Joseph Freeland of Paducah, argued the case before Judges Hicks, Simons and McAllister last Oct. 18.

The Appellate Court reversed the decision of the lower court and remanded the case to the District Court for a new trial.

PENNSYLVANIA RAILROAD, tired of doing the dirty work for southern rail lines that insist upon segregating Negro interstate passengers, declared this week that henceforth it will not jim crow passengers on southbound trains. Above is example of Negroes and whites indiscriminately seated. Below, porter cooperates in scene that won't be seen on Pennsy trains in the future.—Rhoden Photos.

Dixie Railroads Defy Move To End Jim Crow

NEW YORK—The announcement last week that the Pennsylvania Railroad has abolished segregation on trains bound for the South, fell on deaf ears in Dixie.

Spokesmen for the Southern, Atlantic Coast Line, Norfolk and Western, and Seaboard rail lines insisted that the Pennsy announcement will not change their practice of segregation "to meet state laws."

Despite the defiant statements of the southern roads, it is believed that segregation of interstate passengers has been dealt a death blow by the action taken by the Pennsylvania Railroad.

The first step on what might lead to a total collapse of segregated inter-state travel was taken here this week by the Pennsylvania railroad.

The Pennsylvania declared in a joint statement with the New York State Commission against Discrimination that Negro passengers traveling south to Washington and points further south would no longer be segregated when boarding trains here.

In the past the company said, it had segregated southbound Negro passengers only at the request of southern roads and to spare the Negroes having to change seats upon reaching states in which Jim Crow laws operate.

G. E. Payne, of the road's publicity department, said in Philadelphia that the five southern roads with which the Pennsy has agreements have been notified of the Pennsylvania's new policy.

The southern lines include Seaboard, Southern, Atlantic Coast Line, Florida East Coast, and the Richmond, Fredericksburg and Potomac.

The Pennsy R. R.

HOPES for the abolition of segregation on the railroads of the country were sky-high last week when the Pennsylvania Railroad announced a change in policy.

The Pennsy declared in a joint statement with the New York State Commission against Discrimination that hereafter passengers boarding trains in New York for points below the Mason and Dixon would no longer be segregated. The Pennsy admitted having Jim Crowed southbound passengers in the past "at the request of Southern roads."

Repercussions of the announcement were immediate throughout the railroad industry. Other railroads will be impelled to re-examine their segregation policies regarding interstate passengers. The Southern roads are expected to try to hold to Jim Crow for Negro passengers traveling within a given Dixie state. This too, is under fire now as never before.

The action of the Pennsylvania railroad comes at the very moment that the United States Supreme Court is studying the case of Elmer Henderson versus the Southern Railroad. Henderson charged that he was penalized because of his color when he was refused service on a diner between Washington and Birmingham.

We believe that the United States Supreme Court will rule against the Southern Railroad. However the court rules there is no question in the minds of honest Americans that Jim Crowism is a practice which can never be reconciled with the democratic principles upon which our republic was founded.

Penna. R. R. Drops Jim Crow on Cars Running Into South

By ROBERT M. RATCLIFFE
(Courier News Editor)

Courier Sat. 10-29-49

NEW YORK—Pennsylvania Railroad's decis drop jim-crow cars on all of its through trains from New York into the South will face its acid some Southern states where segregation on trains i datory.

Despite the no jim-crow policy taken by Pennsylvania, it was indicated that segregation practices would continue, at least in some sections of the South.

In some Southern areas, local inspectors have the power to board trains and arrest Negroes for violation of local segregation laws. Pittsburgh, Pa.

Railroad officials are of the opinion that the Pennsylvania no-bias policy will not apply to Seaboard Airlines and Southern Railroad which pick up some southebound Pennsylvania coaches in Washington. Pa. Railroad

Pennsylvania operates some through trains from New York into Florida and it is believed that only these trains will operate on a non-segregated policy. Yet, such action by Pennsylvania is expected to be tested by state officials in South Carolina and possibly Virginia.

Pennsylvania Railroad and the New York State Commission Against Discrimination announced last week that Negroes will be given equal rights and services in coaches, Pullman cars and dinners of Pennsylvania Railroad through trains from New York to points south of Washington.

The joint announcement said:

"The Pennsylvania Railroad has agreed to make seats available immediately in any part of these trains to all passengers as they apply."

Officials here explained that there never had been any segregation of passengers on Pennsylvania trains running to Washington. On through trains to points South, it had been the practice to assign Negro passengers to separate cars, unless otherwise specified.

Charges of discrimination of Pennsylvania trains were filed with the New York State Commission Against Discrimination by the Mayor's Committee on Unity and the NAACP.

Roy Wilkins, acting secretary of the NAACP, told the Courier that the NAACP was assured over a year ago by Pennsylvania that the segregation practice would end.

With the Pennsylvania's policy now on record, the N.AACP called on the Illinois Central Railroad and other lines to adopt similar action.

Courier
Pittsburgh, Pa.
Sat. 10-29-49

Jim Crow On Way Out

Headlines last week announced that the Pennsylvania Railroad out of New York and Washington has abandoned segregation on its trains to the South. Everyone who has ridden on these trains knows that the roads out of New York and other principal cities in the North, where there is no statutory segregation, flaunt their Dixiecrat emblems at the point of origination. For instance, a road out of St. Louis into Oklahoma, in violation of the Missouri statutes, originates its jim crow car in the union station at St. Louis. The Santa Fe, running from Kansas City into Fort Worth, is perhaps operating the most democratic service of any of the roads entering Oklahoma. Interstate passengers for the past five years have been riding directly through Oklahoma and into Texas occupying seats taken in Kansas City.

But the question that arises in the mind of the Black Dispatch regarding the action of the Pennsylvania Railroad last week has to do with jurisdiction and authority. It is information to us that the railroads are perpetuating jim crow. We assumed such power was vested in state government. Perhaps that is the reason why the railroads arrogantly practice segregation and jim crow in New York, Illinois and Missouri at their point of beginning. The railroads have assumed the authority of the state. To believe the last week headlines jim crow will end when and if certain private railroad corporations decide to abandon it.

Black Dispatch

Of course we are aware of the tremendous cost involved in maintaining separate dining cars and sleepers for Negroes and that is why they have not been supplied Negroes across the year, but we thought this delinquency on the part of the railroads depended upon sufferance of state government. We never did assume the railroads had the arbitrary power to determine when segregation in travel would end. Somewhere in this evil scheme the state has responsibility it cannot dodge, or shall we argue that corporate wealth has gotten so lusty and contemptuous it can decide questions relating to the civil rights of citizens?

Oct 11-12-49

Irrespective of the background to this sudden change on the part of the Pennsylvania we think it is an arguary of a better day and an expression of the enlightened conscience of the nation. Other railroads may hedge and falter at this decision of the Pennsylvania, but straws show which way the wind is blowing. Smaller roads may balk today but will bow to public opinion [illegible]

There are many people who do not know how disgusted the younger generation of white people are getting with jim crow practices that hamper them in their comfort. Take, for instance, the Santa Fe Streamliner, leaving Oklahoma City every morning at 6:45 for Chicago. During the war we noted white people who did not have a seat in the crowded rear section marched into the jim crow coach in the front and demanded a seat. There was plenty of room during this period in the front coach and white folk stood in the door of the white coach looking at empty seats in the jim crow car the conductor would not permit them to occupy until the train reached Arkansas City. During the ride from Oklahoma City to Kansas City, as we lolled in that luxurious coach the Santa Fe provides for Negroes, there has often fallen upon our ears the evil imprecations of both white men and women, who vowed denial of their right to ride in those empty seats beside black passenger was the most outrageous situation they ever faced. There are thousands of whites all over America whose ox has been gored in the same manner, and who have on occasion exploded their anathema in high places, and this is having its effect.

And then there is the other side of the picture. Negroes

are becoming more militant in exercising their rights as citizens. Since the Supreme Court settled the question regarding rights of interstate passenger, Negroes in increasingly large numbers have been remaining in the seat they occupied at the point of entry, when they arrive in jim crow territory. This has placed the railroads at a distinct disadvantage respecting intra-state travel. As a practical proposition they have Negroes riding all over the coach, and many southern conductors have openly expressed the view that if an out-state Negro can ride in the chair car, why not allow the folk they know and who travel continuously on their lines, the same privilege? This is one of the subtle ways jim crow has been undermined ever since the decision of the Supreme Court dealing with the relationship, or lack of relationship jim crow has to interstate travel.

One thing is certain. Jim crow would scurry off the scene if more Negroes would exercise their rights in travel. Conductors usually send the Negro porter to invite the Negro traveler to the jim crow coach. Usually the Negro ,despite the fact he is an interstate traveler, arises with his family and goes to the front coach. Apparently the average Negro traveler does not know that the highest court in the land has said in clear, understandable language that an interstate passenger is not bound by the seating arrangements provided for passengers within a given state and can ride to his designation where he is. In a great many instances the Negro passenger does know his rights, but to avoid any disagreeable occurences he surrenders to the intimidating and terroristic ruffianism of the train officials and moves to the jim crow coach.

What Negroes should get clearly in their minds is that they have no more rights in this country than they are willing to exercise. The courts can only state what the law is. The citizen must through every day performance exercise the law. The NAACP and other civil rights organizations might spend millions of dollars to free a man from jail, but it is the man himself who in the final analysis must walk out of jail. In the separate coach proposition we observe the preposterous situation where a free American citizen actually walks back into jail. That is exactly what the interstate Negro passenger does when he voluntarily and cowardly walks into the walls of jim crow at the behest of the Negro porter and conductor.

One noticeable bit of progress is observed in that fewer Negro porters are continuing to approach Negro passengers respecting this illegal practice. But those who come should be told by the Negro passengers to request the conductor to deliver the information about the jim crow coach. Conductors attempt to dodge responsibility by sending the Negro porter. It will immediately be discovered that few conductors are coming with this information, because in his pocket is an order issued him by superiors, telling him if the passenger refuses to move, leave him alone. Few talk about jailing Negro passengers any more because they fear to lose their jobs if the Negro passenger takes the railroad into court.

The action of the Pennsylvania Railroad is proof positive that jim crow is making its last bow in America, but a little more backbone and spunk on the part of the Negro passenger will hurry the exit. You cannot improve conditions by going to the jim crow coach.

The Pennsy Abolishes Jim Crow,

THE announcement by the Pennsylvania Railroad that colored passengers riding its trains from New York to points south of Washington will no longer be segregated and will henceforth be served on a first-come-first-served basis, it appears, will have no effect whatever on other railroad lines serving Virginia and the South.

Hard on the heels of the announcement, which was made jointly by the railroad and the New York State Commission Against Discrimination spokesmen for the majority of the common carrier lines serving the deep South were quick to emphasize that they would keep right on rolling along with their present passenger Jim Crow customs. The term "customs" is used advisedly for in reality that is exactly what it is.

The decision to retain the status quo in railroad travel obviously stems from a desire on the part of the affected railroad lines to conform to local custom and the laws of the individual states served by them rather than from moral suasion or legislative fiat based upon the Bill of Rights and the Constitution of the United States.

Were it otherwise they might be inclined to ponder the fact that the Interstate Commerce Commission has several times ruled such segregation illegal in cases where colored passengers were sold seats in non-segregated cars and then forced to move as the trains travelled south out of Washington, and that the Department of Justice just recently asked the United States Supreme Court to intervene in a suit in which similar issues are involved. Basis of the ICC ruling was the claim that segregated travel interfered with interstate commerce.

In taking its highly commendable action the Pennsylvania Railroad responded to complaints by the New York Mayor's Committee on Unity which previously had heard a protest by a Catholic priest that his parishioners had been embarrassed by the segregated travel practices. The non-segregation rule, spokesmen for the railroad explained, will also hold on the line's sleeping cars as well as in coaches.

Injecting the "separate but equal" myth into the controversy, a representative of one railroad serving the deep South said his company would continue to observe the racial separation laws of the states in which it operates, but that Colored passengers would be assured of "accommodations entirely equal to those offered white passengers."

Spokesmen for another Southern line made no bones of the fact that it practices passenger segregation and definitely will not follow the Pennsylvania's lead. Still another explained that it has not segregated interstate passengers for several years, but will continue to observe its practice of separate seating arrangements for intrastate travellers.

All of this, of course, only serves to further confuse an already badly befuddled travel picture for the Negro traveller in the South who is the only real victim of this vicious and outmoded system.

In some quarters much has been made of the fact that the Pennsylvania Railroad may have acted under pressure. The question, while debatable, is not particularly important as an issue. The important thing is that the railroad has acted, which may, or may not explain to some degree why it is the largest business enterprise of its kind in the United States.

Penny's JC Ban Hits Dixie Lines

Bal. 10-29-49

Northbound Passengers Won't Share Equality

RICHMOND

The Pennsylvania Railroad's decision to end racial segregation on its trains now makes its possible for many colored passengers to travel in freedom going South but old man Jim Crow will surely get them coming back, unless they have got plenty of nerve.

It is possible that attempts will be made to route them into jim-crow cars even after leaving Richmond and other northern or western points in Virginia and other border States, for many Southern lines plan no change in policy.

(While some of the roads insist they will not go along, there is little likelihood in any event that any of them will go to far as to order the arrest of any passenger who refuses to move from a white car, if he has an interstate ticket, moving North or South.)

2 Roads to Comply

The Richmond, Fredericksburg and Potomac (running between Richmond and Washington), and the Chesapeake and Ohio, are the only two major roads in Virginia which announced an intention to go along with the Pennsylvania's policy.

Both the C. and O. and the R. F. and P. announced back in 1946 that they were discontinuing the practice of segregating by race interstate passengers on their lines. The action was taken in response to a letter from the editor of the Richmond AFRO.

Crew Ignored Order

In spite of the official pronouncements, however, segregation of colored passengers has continued since that time, in most cases, on both lines. It has been carried out by conductors and porters, apparently without official sanction.

Although some officials of the Southern Railway asserted that no colored persons whose trips began north of Washington had been ejected from their seats in recent years, it is known that in cases where a colored passenger is seated in a "white" coach, he is asked

Forced to Move

passengers with the courteous disregard attempts at jim crow seat themselves in coaches which they are most likely are not asked to move

in R. F. and P. coaches, once they are seated, attempts are made to keep them out of "white" coaches.

None of these railroads has found an effective means of keeping all colored passengers out of "white coaches" in Southbound trains, but most of them do an effective job of keeping them out in Northbound trains, regardless of whether they are intrastate or interstate passengers.

The same is true of buses. A leading citizen here commented recently, upon observing how colored passengers relegated to the rear of buses, that the fruits of the victory won in the Irene Morgan case have been lost entirely.

Two Compound Insults

The Norfolk and Western and Atlantic Coast Line Railroads were the only two in Virginia who stated flatly that they would continue to obey the State law by insisting up segregation of colored passengers into separate coaches.

A Norfolk and Western official stated that his road had no reserved seat cars that connect with the Pennsylvania, indicating that if a passenger does not hold a reserved seat ticket placing him in a white car he must ride the jim crow coach.

It is a known fact that the Norfolk and Western does enforce rigidly its segregation rules in its coaches.

On a recent trip from Roanoke to Richmond, colored passengers many of them employees of the railroad, packed the half coach, including about 20 standees in the aisles, with no action on the part of the conductor.

Many Road's Employees

While they were packed into the half coach like sardines in a can there was a white coach directly to the rear of it with less than a half dozen passengers in it.

The conductor did not direct any of the colored passengers in the half coach to the car to the rear, nor did any of them attempt to seat themselves there, although they could see it was practically empty.

Dixie Pattern

At the same time, two white railroad workers occupied two of the few seats in the jim crow car.

They were at liberty to ride the colored car, but the colored employees of the road knew they dare not take seats in the white coach.

That is how jim crow usually works in Dixie.

Pennsylvania Makes Change

Bal. 10-29-49

Result of Complaints by Priest, AFRO Head

WASHINGTON

One of the major obstacles in the path of complete elimination of segregation on railroads was removed this week when the Pennsylvania Railroad announced that segregation of colored passengers traveling in coaches, Pullmans or diners of through trains from New York to points south of Washington would be abolished immediately.

The announcement, made jointly on Thursday with an announcement by the New York State Commission Against Discrimination, said:

"The Pennsylvania Railroad has agreed to make seats available immediately in any part of these trains to all passengers as they apply."

Under the change, colored passengers traveling from New York to the South on through trains operated by the Pennsylvania Railroad will no longer be forced to change to jim crow seats at Washington.

The new policy which became effective immediately will thus enable a colored person traveling to Jacksonville, Florida or some other southern city to purchase a reserved coach seat in New York and ride through the South in a mixed car without being humiliated by being forced to occupy a seat in a jim crow car after leaving Washington.

Follows Afro Protest

The change in policy was brought on after the State Commission Against Discrimination had received a protest from Carl Murphy, president of the Afro-American Publishing Company of Baltimore, pointing out that colored people traveling south of Washington were at times assigned to separate cars before leaving New York so that they would be segregated when they moved through the South.

A formal charge of discrimination was then lodged with the State Commission Against Discrimination against the railroad by the New York Mayor's Committee on Unity.

Elmer C. Carter, colored member of the SCAD, was assigned to investigate the charges of discrimination and the joint announcement of the railroad's change in policy followed his successful negotiations with railroad officials.

Railroad Explains

During the negotiations the railroad contended that it had not been guilty of discrimination against colored people in assigning them to special coaches while traveling South but that instead it was merely acting to save them possible embarrassment and inconvenience when they transferred to other railroad lines after leaving Washington.

The Pennsylvania does not operate rail lines south of Washington. The railroad also said that it has always reserved seats for colored passengers on any part of its through trains when they requested it but not unless they requested it.

The Commission Against Discrimination, however, told the railroad that in order to remove any doubt that it discriminates against colored people it should agree to make seats available immediately in any part of its trains going south to all passengers as they apply.

Railroad officials pointed out that they will have no jurisdiction over persons who fail to make reservations for a reserve seat on through trains. It was pointed out that a person failing to ride a through train to Washington would be confronted with whatever policy the connecting railroad line which took on Pennsylvania passengers at that point might lay down.

Reservations Necessary

On the other hand, a person reserving a seat on a through train could demand that the Pennsylvania Railroad see to it that he was not discriminated against as he traveled through the South.

This will produce the situation where some colored people will be riding on southern trains in mixed cars, while others who made no such reservations will be forced to ride jim crow cars on the same train.

The Southern lines involved are he Southern, Seaboard, Richmond, Fredericksburg and Potomac, Atlantic Coast and Florida East Coast Railroads.

All Lines Informed

In Philadelphia, G. E. Payne, of the Pennsylvania Railroad publicity department, said the various lines had been properly informed of Pennsylvania's action, but he had no idea what action those lines would take.

Charges of discrimination against the Pennsylvania Railroad relative to the practice were filed with the New York SCAD by the New York Mayor's Committee on Unity at the request of the Rev. Michael J. McLaughlin, of St. Peter Claver Roman Catholic Church, 29, Claver Place, Brooklyn, N.Y.

The Brooklyn priest complained that many of his parishioners had suffered embarrassment from the practice of segregation on the trains. The charges were filed last April by the Mayor's Committee, headed by former Police Commissioner Arthur W. Wallander of NYC.

Commenting on the PRR's announcement, Mr. Wallander said: 'I am happy over the final determination of this matter as there is no place in our country for unjust discriminatory practices. This is a fine example of co-operation between a local and state agency in working to eliminate discrimination."

Several years ago the United States Supreme Court ruled that there could be no discrimination of passengers in interstate travel. However, Southern railroad lines have used all kinds of ruses to perpetuate the practice, among them being the system of segregating passengers at the start of their trip on through trains out of New York.

While no official statement on the Pennsylvania company's move has come from Southern lines, it is understood from other sources that the Southern roads had agreed to co-operate with the Pennsylvania system in an effort to eliminate segregation policies in through train travel.

Co-operation Expected

It has been reported also that the Southern lines in the future will not compel any colored passenger to change his seat or car unwillingly and will make efforts to protect him in his right to remain in the seat assigned or chosen at the outset of the trip.

Past observations indicate that the railroads may encounter difficulty at some stops in the South where local inspectors frequently have boarded trains and arrested colored passengers for what they termed violation of local segregation laws.

Pennsylvania Railroad

Rail Heads Cite State Laws As Existing Bars

Two Other Railroads Pledge Support Of Southern Traditions

BY WILLIAM GORDON

In a recent release made by the Pennsylvania Railroad involving segregation of the races in inter-state travel, a pledge has been made by this company to serve all comers and to abolish jim crow for Negro passengers on all of its trains out of New York bound South of Washington, D. C.

However, despite the liberal stand being taken by the Pennsylvania, in regard to race travel, two other connecting railroads serving the deep South have vowed to stick to southern traditions, stating that state restrictions prohibit them from following the pattern of the Pennsylvania.

Pennsylvania Railroad officials have pledged that they would reserve coach seats on through trains for all passengers alike in any part of the train despite its destination.

In the past, the railroad said, Negro passengers have been able to get seats in any part of the train when they asked for them. However, in instances where Negroes did not ask for Reservations they have been placed in Coaches separate from whites in order to avoid possible embarrassment and inconvenience south of Washington.

Speaking in behalf of the Southern railroad, F.L. Jenkins, director of passenger trafic, said state laws require segregation in parts of the South and that his company would observe these laws. However, Jenkins added, his company has not in recent years ejected from their seats any Negroes whose trips began North of Washington.

The Seaboard railway in Norfolk said it practices segregation to meet the laws of the states through which it's trains pass and inferred that it would not follow the action of the Pennsylvania.

The Seaboard bases its argument on the idea that segregation in the South insures harmony and that Negro passengers are getting accomodations equal to whites from its system.

World
Memphis, Tenn.
Tues. 10-25-49

Race Policy Revised By Penn Railroad

Post. Thurs. 10-20-49

New York, Oct. 19 (AP).—The Pennsylvania Railroad today announced that all coach seats on through trains from New York to the South will be reserved for all passengers alike in any part of the train.

The arrangement is effective immediately.

Charges of discrimination against the Pennsylvania Railroad in the sale of reserved coach seats to Negro passengers traveling to points south of Washington, D. C., had been filed with the State Commission Against Discrimination by the New York Mayor's Committee on Unity.

The railroad maintained that in the past it always reserved seats for Negro passengers in any part of trains to the South when they requested it.

Against Discrimination

In the absence of such request, however, and to save Negro passengers possible embarrassment and inconvenience south of Washington, the road said, an effort was made to assign Negro passengers and white passengers to seats in separate cars, having identical accommodations, leaving New York.

The announcement said this practice now will be abandoned.

Pennsylvania Railroad officials, in their negotiations with the State commission, contended that it never countenanced discrimination in accommodations. They said the arrangement previously in effect for coach reservations on trains to the South was set up in good faith for the well-being of passengers.

"In order to remove any doubt on the subject," the announcement said, "and cooperating with the New York State Commission Against Discrimination, the Pennsylvania Railroad has agreed to make seats available immediately in any part of these trains to all passengers as they apply."

State Laws Cited

In Norfolk, Va., an official of the Seaboard Railway said the Seaboard could not follow the Pennsylvania Railroad policy.

He said the Seaboard "is obliged to practice segregation in conformity with the yaws of States traversed by its passenger trains."

He added that such practice "has been found to produce the most harmony" in the South and that "equal accommodations are provided for both races."

In Washington, F. L. Jenkins, director of passenger traffic for the Southern, said the railroad has not in recent years been forcefully moving Negro passengers whose trips originated north of Washington, the dividing line.

Most Lines Keep Segregation Laws

Adv. Thurs. 10-21-49

RICHMOND, VA., Oct. 20—(AP)—Most rail lines serving the South are going to keep rolling along with present passenger segregation customs, spokesmen for the roads said today.

F. L. Jenkins, director of passenger traffic for the Southern, said his company observes the laws of the states through which it travels with respect to segregation of whites and Negroes. He added, however, that no Negroes whose trips South began north of Washington have been ejected from their seats in recent years.

He added that Negro passengers, in any event, get accommodations equal to those offered white passengers.

Pennsylvania Railroad Drops 'Jim Crow' Seating

Courier Journal Thurs. 10-20-49

New York, Oct. 19 (AP)—The Pennsylvania Railroad announced that all coach seats on through trains from New York to the South will be reserved for all passengers alike in any part of the train. The arrangement is effective immediately.

Louisville, Ky.

Charges of discrimination against the Pennsylvania Railroad in the sale of reserved coach seats to Negro passengers traveling to points South of Washington, D. C., had been filed with the State Commission Against Discrimination by the New York City Mayor's Committee on Unity.

The railroad maintained that in the past it always had reserved seats for Negro passengers in any part of trains to the South when they requested it.

Ruling Leaves No Doubt.

In the absence of such request, however, and to save Negro passengers possible embarrassment and inconvenience south of Washington, the road said, an effort was made to assign Negro passengers and white passengers to seats in separate cars, having identical accommodations, leaving New York.

The announcement said this practice now will be abandoned.

"In order to remove any doubt on the subject," the announcement said, "and co-operating with the New York State Commission Against Discrimination, the Pennsylvania Railroad has agreed to make seats available immediately in any part of these trains to all passengers as they apply."

Pennsylvania Railroad Ends Coach Segregation

Atlanta, Ga. Journal

NEW YORK, Oct. 20.—(AP)—The Pennsylvania railroad has pledged first-come, first-served seats to Negro passengers bound South from New York on its through trains.

Thurs. 10-20-49

But at least two other connecting railroads serving the deep South say state restrictions prohibit them from following suit.

The Pennsylvania said it would reserve coach seats on through trains for all passengers alike in any part of the train.

In the past, the road said, Negro passengers got reserved seats in any part of the train when they asked for them.

When they didn't ask, the railroad said, it tried to place Negroes in separate cars from whites. The Pennsylvania said it did this to save Negroes possible embarrassment and inconvenience south of Washington.

In Washington, F. L. Jenkins, director of passenger traffic for the Southern railroad, said state laws require segregation in parts of the South. His railroad observes these laws, he added.

However, Jenkins said, the Southern, in recent years, has not ejected from their seats any Negroes whose trips began north of Washington.

In Norfolk, Va., the Seaboard railway also said it practices segregation to meet the laws of states through which its trains pass.

The railway said it does not plan to follow the action of the Pennsylvania.

Segregation, the Seaboard said, insures harmony in the South. Negro passengers get accommodations equal to whites, the railway added.

Coach Segregation Ended By Pennsy

Advertiser

NEW YORK, Oct. 19—(AP)—The Pennsylvania Railroad today announced that all coach seats on through trains from New York to the South will be reserved for all passengers alike in any part of the train.

Thurs. 10-20-49

The arrangement is effective immediately.

Montgomery, Ala.

Charges of discrimination against the Pennsylvania Railroad in the sale of reserved coach seats to Negro passengers traveling to points South of Washington, D. C., had been filed with the state commission against discrimination by the New York City Mayor's committee on unity.

The railroad maintained that in the past it always reserved seats for Negro passengers in any part of trains to the south when they requested it.

Hobbs Files Brief On Rail Segregation

WASHINGTON, Dec. 8 — (AP) — Rep. Hobbs (D., Ala.) has filed a brief in the Supreme Court asserting it would be a "kiss of death" to strike down racial segregation on Southern railroad dining cars.

Hobbs is a member of the House judiciary committee. He said he offered the brief "at the suggestion of other members of the committee."

THE BRIEF was presented as a "friends of the court" document in the case of Elmer W. Henderson, a Baltimore Negro.

Henderson appealed to the Supreme Court from a decision by a special three-judge U. S. District Court in Baltimore that dining car regulations on Southern lines do not discriminate against Negroes. The court will hear arguments in the case later this term.

"It is respectfully submitted that the pertinent rules of the Southern Railway (the line specifically involved in the Henderson case) are in accordance with the supreme law of the land as declared by the Supreme Court and the lower court," the Hobbs brief stated.

"Not only so, but those rules are wise, for the best interests of all the people affected, and in accord with the highest ethical standards.

"THE SOUTHERN Railway Company, to all practical intents, operates only in the region where anything more than is required by the rules here under attack would render its attempt to operate its railway system absurd. To adopt the contention of the appellant (Henderson) would be the kiss of death and render operation of the railway impossible."

HOBBS ASKS NEGRO CURB

Alabama Representative Calls for Dining-Car Segregation

WASHINGTON, Dec. 6 (UP) — Representative Sam Hobbs, Democrat, of Alabama, asked the Supreme Court today to uphold the policy of racial regregation in railroad dining cars.

Mr. Hobbs, a member of the House Judiciary Committee, filed a brief as a "friend of the court" in the case of Elmer W. Henderson, Negro leader who has forced a legal test of the policy.

Mr. Hobbs said he acted at the request of other members of his committee, but did not name them.

His brief asserted that under the Constitution only Congress had authority to regulate interstate commerce.

"Fourteen times the House has voted against anti-segregation proposals," it said. "It must be said that the trust has been kept sacredly, and administered faithfully, for the best interest of all."

Mr. Hobbs criticized particularly the Department of Justice, which has come out for a ban on racial segregation in interstate travel.

The Interstate Commerce Commission, on the other hand, will not act against a railroad as long as it provides equal facilities to both races. Mr. Henderson has appealed to the Federal courts against the ICC stand.

Test Bus Law

Robeson Is Blamed for Dixie Feud

Courier
Sept. 8-20-49
Pittsburgh, Pa.

KNOXVILLE, Tenn. — A high court test of Knoxville's jim-crow law is in the making after two men were fined $5 each in City Court here last week on charges of violating the ordinance.

John Moran, College Homes, and Burl Morrison, 130 Douglas Street, announced they would appeal the fines to Circuit Court. They are accused of occupying seats in the section of a Knoxville Transit Lines bus designated for whites.

A third man, Herman Goin of 1631 Dunbar Street, was fined $5 on charges of disorderly conduct arising from the same incident. Goin who described himself as a "peacemaker" said he would appeal also.

Officers testified Moran and Morrison refused to move from their seats in the white section when told to do so by the bus driver. They quoted Goin as saying repeatedly, "By God, we must be in Russia."

It was brought out in City Court testimony that the inter-city bus contained no vacant seats when the incident cropped up.

Moran testified that he was on his way to work when "police came on the bus cursing."

He quoted one officer as saying: "All you black . . . should be in Russia."

Moran said he offered to board another bus if he were given another car ticket, but that one officer grabbed him by the belt and shoved him from the bus to another policeman. "You want me to shoot you?" he quoted the policeman as saying.

"You're like Paul Robeson. You need to be in Russia," Moran said the officer told him.

38b 1949

Tennessee

The Night Desk—

Segregation Law Was Set Up In '05

Q.—Will you please answer in your column when the "Jim Crow Law" went into effect in Memphis in regard to street cars?

A.—The Legislature completed action March 30, 1905, and gave Tennessee's street car companies 90 days to begin carrying out the law.

There is a $25 fine for companies which fail to designate a portion of the seats for "colored passengers." And there is a $25 fine for passengers who decline to either use the assigned seats or to leave the cars.

(Now we will ask a question. The "Jim Crow Law" for street cars is only 44 years old but Memphis street car service is 83 years old. How old is segregation on Memphis street cars?)

Texas (Airport)

Houston Jim Crow Irks Ella

ELLA FITZGERALD
... taste of jim crow

By J. DON DAVIS
(Staff Correspondent)

HOUSTON, Tex.—The Lone Star State upheld its long and sordid record of race hate and jim crow when Negro members of Jazz at the Philharmonic, a music group, were insulted by a policeman and herded into the "Negro section" of the airport here last week.

Norman Granz, leader of the group, who has written a non-discrimination clause into his contracts, showed his disgust at the incident, declaring, "I have fought long and too hard against the things we encountered in Houston's Municipal Airport ever to play there again."

Ella and Jazz Mates Insulted

CALLED NAME

Negro members of the group are Ella Fitzgerald, Ray Brown, Lester Young, Coleman Hawkins and Hank Jones, who were called an objectionable name and ordered into the jim crow section of the waiting room.

Granz charged that the Negro members of his organization were insulted by Officer Jim Bunting when the musicians arrived at Houston and occupied seats together with white members while their luggage was being cleared.

Granz said he would not have resented the officer's enforcing the law against mixed seating, but the officer's rude statement, "You n———rs will have to get out of here," made him angry. Granz refused to use the airport's limousines for transportation to town.

Lieut. R. G. Horning of the Houston Police said that he witnessed the incident and that Patrolman Bunting's only action was to inform the musicians that a "colored waiting room was available."

Paul Kroone, airport manager, stated that Negro air passengers had increased. He added that a "Negro waiting room" had been set aside at the airport. "Appropriate signs have been posted," he said.

TO BY-PASS HOUSTON

Granz expressed appreciation for the large crowd which attended his concert, but he insisted, "The gang's feelings were hurt by the way that policeman acted. We'll play Dallas again next year, but not Houston!"

According to reports, the insult to the musicians was just one in a long series encountered by Negroes at the airport.

Athlete's 'Jim Crow' Guilt Is Affirmed

Lexington, Va., Jan. 4 (AP).—Judge Earl F. Abbott in Alleghany County circuit court today found Norvell Lee, 23, Negro Olympic boxer, guilty of violating Virginia's segregation law.

Judge Abbott, hearing the case without jury on an appeal from trial Justice Court, raised the lower court's fine of $5 and costs to $25 and costs.

Judge Abbott suspended the fine for 60 days on motion of defense counsel to permit application to the State Supreme Court for a writ of error.

Resident on Train

Lee was convicted in Trial Justice Court last October on two counts of refusing to take a seat in sections reserved for Negro passengers on a Chesapeake & Ohio railway train.

He was fined $5 and costs on each count. He paid one fine and appealed the other count.

Martin A. Martin, attorney for Lee, told a reporter after the trial that he intended to use the case to test the application of a United States Supreme Court ruling that segregation laws do not apply to interstate commerce.

Asked if he planned to take Lee's case to the United States Supreme Court if necessary, Martin replied, "I expect so." He did not elaborate.

The defense contended that Lee had a ticket for Washington, D. C., when he was arrested, but that even if the segregation law applied, the defendant had not refused to obey the conductor and thus had committed no violation of the law.

Ticket for Washington

Sheriff William Henderson testified he did not know Lee had a ticket for Washington.

Lee boarded a train Sept. 14 at Clifton Forge. Conductor S. L. Lockhart said he told a brakeman to order Lee to move to a car reserved for Negroes. Lee refused, and the sheriff was called.

Testimony was that Lee left the train after being ordered by the sheriff to move or leave, obtained a refund on his ticket to Clifton Forge, purchased a ticket for Washington, and reboarded the train. He then was removed by the sheriff.

Martin argued that the conductor could not properly delegate his authority to assign seats to a brakeman or a sheriff.

Segregation Suit Decided For Railroad

Richmond, Va., April 2 (AP).—A jury unable to agree on a general verdict in the Chance railroad segregation case finally arrived at a "special verdict" here yesterday.

It answered nine specific questions put to it by Federal District Judge Sterling Hutcheson. Judge Hutcheson's questions broke the case down into three basic points.

On two of these, the all-white jury decided in favor of the Atlantic Coast Line Rairload, and Alva S. Lambeth, conductor, co-defendants, in a $25,000 damage suit. The suit was instituted by William C. Chance, Parmele, N. C., Negro school principal. On the third point, the jury still remained hung.

This was the jury's decision:

1. It agreed that Chance was not removed from a train because he violated the Virginia segregation statute. If it had decided the reverse, the defendants would have been liable.

2. It agreed that Chance was ejected from the train because he violated a railroad segregation rule. It also agreed that the rule was reasonable and was reasonably enforced. Once again, a reverse decision would have made the defendants liable for damages.

3. The jury could not agree whether the railroad and Lambeth caused Chance's "wrongful arrest" for disorderly conduct. An affirmative answer would have made the defendants liable.

In connection with the third issue, Judge Hutcheson made the jurors return a "special verdict dealing with damages."

The jurors were asked to "assume" that they had decided the railroad and its conductor had caused Chance's wrongful arrest. They were asked to say what damages they would award—if they had found he was entitled to any.

In a few minutes the jury was back with an answer based on that assumption—damages of $50.

Evidence submitted to the jurors during three and one-half days of complicated testimony was to the effect that Chance was charged with setting up a gaming table and released in $500 bond for a hearing April 6 in Municipal Court.

Va. Supreme Court Voids Jim Crow Law Conviction

By NNPA News Service

STAUNTON, Va. — The Virginia Supreme Court of Appeals last week reversed the conviction of Norvell Lee, former Olympic boxer and Howard University student, for violating the Virginia Jim Crow law while an interstate passenger on a train.

The appellate court set aside the decision of the Alleghany County Circuit Court which fined Lee $25 for refusing to move to a Jim Crow coach on a Chesapeake and Ohio train near Clifton Forge, Va. He was arrested Sept. 14, 1948.

The unanimous opinion, written by Justice C. Vernon Spratley followed the decision of the United States Supreme Court in the Irene Morgan case, decided June 3, 1946. That decision struck down Virginia's statute requiring race segregation on buses traveling interstate.

BOUGHT TICKET

Lee bought a ticket from Covington to Clifton Forge and took a seat in the front section of a railroad coach under a sign designating the section for white passengers. Both colored and white persons were in the car at the time, however.

When Lee refused to change his seat when asked to do so, the sheriff was called. Lee then got off the train, obtained a refund on his ticket to Clifton Forge and bought one for transportation from Covington to Washington, D. C. When he got back on the train, he was arrested without being questioned.

Lee asked the Virginia Supreme Court to reverse the Circuit Court decision on the ground that he was an interstate traveler and that his arrest was "an unconstitutional regulation of interstate commerce and an invalid delegation of legislative power."

INTERSTATE PASSENGER

The Virginia Supreme Court found that Lee was an interstate passenger and said the only question was whether while he was traveling in this status he failed to take a seat assigned him pursuant to the State segregation law.

"The federal courts in recent years have uniformally held invalid state statues requiring segregation of the races in interstate commerce as contrary to the commerce clause of the United States Constitution, and have upheld statues requiring equality of treatment of white and colored passengers in interstate commerce as constitutional and in accord with national," the opinion stated.

Mrs. Nash Loses Damage Action Against Airport

All White Federal Court Jury Upholds Jim-Crow Dining System in Effect Then

ALEXANDRIA, Va. (NNPA)—With the issue of race segregation ruled out of the case, Mrs. Helen Nash, a former Dunbar High School teacher, on Monday, Dec 12, lost her suit against the Washington Airport in the Federal District Court here.

She had sued for damages of $10,000 after having been refused service in the dining room at the airport.

After 20 minutes' deliberation an all-white jury returned a verdict in favor of the defendant, Air Terminal Services Inc., operator of the airport restaurants.

Mrs. Nash charged that she was refused service and ejected from the dining room on Feb. 17, 1947, while she and her husband, Dr. William M. Nash, a Washington physician, were waiting to board an Eastern Air Lines plane for New Orleans.

Told to Eat Downstairs

She said she and Dr. Nash were instructed to eat, instead, in a "basement cafeteria" set aside for colored travelers.

She became "progressively emotionally disturbed" after the incident, to the point of crying and vomiting, according to Dr. Nash. Her mental condition has not been the same since, said Williams, Washington attorney, who represented her.

The defense, represented by Frederick J. Ball, contended that "substantially equal" facilities were offered Mrs. Nash in the airport's segregated cafeteria.

Judge Albert V. Bryan told the jury that the matter of segregation was not involved in the case.

He said they were to determine only two things: Whether eating facilities at the airport were substantially equal for colored and white persons, and whether there was cause for Mrs. Nash to recover damages.

The suit was based on the theory that the Fifth Amendment to the Constitution, existing Federal civil rights laws and the Civil Aeronautics Act prohibit race discrimination of the type practiced against Mrs. Nash.

The airport, owned and operated by the Federal Government, is located at Gravelly Point on the Virginia side of the Potomac River.

Deprivation Charged

Mrs. Nash alleged that the Civil Aeronautics Administrator negotiated a contract with the Air Terminal Services Inc., requiring the latter to comply with all Federal and State laws applicable to its business at the airport.

She further charged he had instructed the concessionaire not to feed or serve colored interstate passengers in the same dining room and coffee shop with white passengers.

Mrs. Nash contended that this ruling constituted a Federal regulation of interstate air commerce which deprived colored interstate passengers of due process of law and the equal protection of the laws guaranteend them by the Federal Constitution.

Other Suits Withdrawn

Mrs. Nash's suit was one of three filed against the airport and Federal authorities in 1948.

Two of the suits were withdrawn after the Civil Aeronautics Administration directed the operation of all facilities at the airport without discrimination or segregation.

Mrs. Nash taught English at Dunbar High School in Washington for 14 years before she resigned in 1945.

D. C. Racial Restrictive Covenants Cases Concluded

WASHINGTON — (NNPA) — Arguments before the United States Supreme court of the two racial restrictive covenant cases which arose in the District of Columbia Friday concluded the hearings in the four cases involving such agreements.

Immediately after Thurgood Marshall, Special Counsel for the National Association for the Advancement of Colored Peoples, finished his rebuttal argument in the Detroit case, Charles H. Houston, a Washington lawyer, opened the argument in the two District of Columbia cases.

Mr. Houston was followed by Phineas Indritz also for the petitioners in the District of Columbia case.

The one hour allotted for argument in behalf of the respondents in these two cases was split between Henry Gilligan and James A. Crooks, Washington lawyers, who also represented the respondents in the Detroit case.

The two District of Columbia cases involve first, the rights of colored persons to buy from a willing seller property covered by a covenant ond occupy after purchase, and second, the right of a willing white seller to sell to a colored person property covered by a covenant.

In his rebuttal argument in the Michigan case, Mr. Marshall said it was obvious from decisions of the Michigan Supreme court in the case at bar and a previous case that a colored person may own a piece of property but may not occupy it if it is covered by a racial restrictive covenant.

"What the state of Michigan was driving at," said Mr. Marshall, "was preventing Negroes from living in white neighborhoods." He added that the state of Michigan, therefore, was not a "disinterested third party" in enforcing covenants.

An answer to Chief Justice Fred M. Vinson, Mr. Marshall said the petitioners take the position that state action begins when the agreement is made because the signers of such agreements rely upon either legislative or judicial section for enforcement.

"We say that when the state moves in the first instance," he declared, "you cannot give sanction to the contract if you use race as a basis." He maintained that the covenant had its effective values by means of state authority and state aid.

Raphael G. Uriciolo, one of the petitioners in the two Washington cases, was permanently enjoined by the District Court here from selling, conveying, leasing or renting six houses owned by him in the 100th block of Bryant Street northwest, to any colored person in violation of the covenant involved in these cases.

In his argument, Mr. Houston contended that judicial enforcement of racial restrictive covenants violates the due process clause of the Fifteenth Amendment; that the spread of these agreements actually is indirect legislation and, therefore, violative of the Fourteenth Amendment and that these covenants are unenforceable because they violate national public policy.

Mr. Crooks, on the other hand, contended that the public policy of the District of Columbia supports racial restrictive covenants. He pointed out that there are separate schools here; a dual system of recreation, and other segregated facilities, including public housing.

The answer to the problems of colored people, he argued, lies with the Congress and not with the judiciary.

U.S. Reaffirms Covenant Rule

WASHINGTON — A group of white Maryland property owners, seeking to prohibit Frank A. Saunders and his wife, Negroes, from occupying a home purchased in "Beechwood Forest," Anne Arundel County, Md., were slapped down when the United States Supreme Court reaffirmed its decision of a year ago that state courts may not enforce racial restrictive property covenants.

The high court refused to review a Maryland Circuit Court of Appeals opinion of last December which reversed a lower court decision by Judge William J. McWilliams denying the rights to own and occupy property in "Beechwood Forest," to any person of "Negro, Chinese or Japanese descent," except servants or other employees.

In a brief submitted to the high court for Saunders and his wife, Attys. Charles H. Houston and Daniel C. Murphy held that the Maryland Circuit Court of Appeals by its decision simply applied the Supreme Court's mandate of last May 3 in similar restrictive agreements on properties in St. Louis, Detroit and the District of Columbia.

Housing Segregation Contiunes

Because the opponents of the restrictive covenants won the first round to have such covenants held unenforce able by the courts we have not won the housing victory.

"The restrictive agreements standing alone cannot be regarded as a violation of any rights guaranteed to a petitioner by the 14th Amendment. So long as the purposes of those agreements are effectuated by voluntary adherence to their terms, it would appear clear that there has been no action by the State and the provisions of the amendment have not been violated."

In effect, the court ratified the "gentlemen's agreement," so long as it was enforced only by "gentlemen" by private arrangements which by-passed the courts.

And the fact is that throughout the country the pattern of racial restriction is rapidly spreading today, despite the restrictive covenant decision and civil rights laws. Some sections are being listed as "fully restricted" (no Negroes, Jews, etc.,) or "reasonably restricted" (Jews, but no Negroes.) FHA, banks and building and loan associations are openly encouraging racial exclusion.

Although we are helpless at present to do anything about these restrictions, we go on record in stating that they are wrong. In the matter of government direction of the housing program a pattern of discrimination is being set that will prove very harmful and will make housing segregation legal.

As a matter of fact, so long as housing remained in private hands the minorities had a chance to break down barriers set up to exclude them. The pattern of small lots with their multiplicity of ownership and the existence of an open market in the purchase of property enabled the minority to compete for shelter, though with difficulty and at a premium price. With the failure of private enterprise to provide housing in the quality and quantity needed, government intervened to subsidize vast units through aid to private builders and lenders. In doing so, the government agencies were faced with the choice of either prohibiting the private racial exclusion practices as a condition for the aid or ratifying them.

They took the latter course. Since the government-aided projects were both larger and more centrally controlled neighborhood units, the new barriers have become virtually impenetrable to the minority citizens.

Write and find out just what your Congressmen are going to do about this. We need homes now!

'Infamous Structure'

AUBREY WILLIAMS, publisher of The Southern Farmer and sometime guest editorialist for The Advertiser, is telling the nation (in the magazine "Nation") that the infamous structure of . . . segregation is crumbling."

The Montgomerian wrote in this magazine, a serviceable, long wearing wire recorder of leftist waxings:

". . . There are . . . Southerners, men of good will who are just and decent on all other issues, who shake their heads and say these proposals have set back for many years the Negro's forward march. These people have lived so long with the sickness of segregation that they have come to accept it as inevitable . . ."

Presumably that is supposed to fit The Advertiser, for all through the article runs the phrase "Civil Disturbance," a phrase, incidentally, that we lifted from an inspired colleague in the business office and one that has excited Walter White the same as Published Williams.

IN citing the evidence of the crumbling of segregation, Williams says:

"Both houses of the Missouri legislature passed by a large majority a bill to open all Missouri institutions of college grade to Negroes, whether or not there were institutions for Negroes offering similar courses.

"The Maryland lower house of the legislature recently passed a bill to abolish Jim Crowism on public carriers and all public conveniences . . .

"The year has seen the University of Arkansas admit a Negro to its medical school. Maryland University opened its graduate school to Negroes; the University of Oklahoma gave silent consent when students broke down barriers which had been erected in its law classes to segregate a Negro admitted under a court order on a segregated basis."

WILLIAMS notes that four Southern governors — Folsom, McMath of Arkansas, Warren of Florida, Scott of North

Carolina—ad ate abolition of the poll tax and anti-lynching legislation; and that an even larger number oppose the Klan.

It seems to us that Williams is stretching it a bit there, for under that definition even the unregenerate Advertiser would qualify as a foe of segregation. That is, we have a history of opposition to the poll tax and the Klan. As for lynching, Alabama has, and has had for half a century a law stronger than the federal law and the state has repeatedly impeached sheriffs for failure to do their duty.

Williams testifies that:

"In at least two states, Alabama and Tennessee, working farmer organizations have gone on record with resolutions supporting the Civil Rights proposals, and farm leaders in both states have publicly stated their position in favor of the Civil Rights program."

To the unknowing that means that there is grass roots rebellion against segregation among farmers, but that's putting it a little slickly. The "farmer organization" of which Williams sings is the relatively insignificant Farmers Union of which he himself is president. The dominant, numerous and representative farm organization in the segregated state of Alabama is the Farm Bureau Federation and their leaders were conspicuous in the anti-Truman fold.

ANYWAY, that's what the suave and winsome Williams is telling the nation, in The Nation.

He is, of course, right in the inference that the segregation system is flexible and almost certain to change some through the years. Probably transportation will be the first focus of change. For even now in Montgomery, we have little vertical segregation, only horizontal. That is, there is no segregation to speak of on elevators in stores and office buildings, but there is on buses. In Montgomery there is segregation in the city auditorium, but none in the lines before the bank tellers' windows. What is practical seems to enter into the matter, and no doubt the years will bring more changes.

But we'd feel more drawn to the Williams assertion that segregation is crumbling if he had dealt with the recent riots in St. Louis, Washington, Youngstown and New York. It sounded to us from reading the AP wire that those yankee Dixiecrats are hell-bent on being reactionary. Certainly the mayors of the towns thought so, because they restored segregation in the swimming pools after a brief but not uneventful experiment without it.

New FHA Loan Rule Clarified

Dr. Horne Says Policy Extends Opportunities

BANS BIAS CLAUSES

Predicts Far-Reaching Directive Provisions

WASHINGTON

The new Federal Housing Authority policy does not say that loans cannot be granted to an individual because he lives in a segregated housing area, but it does prohibit lending agencies from writing into FHA contracts that members of a particular race can be excluded.

That is the interpretation that Dr. Frank Horne, advisor to the Administrator of the Housing and Home Finance Agency, places upon the policy. Dr. Horne drew the following illustration to clarify his view point:

Mr. A decides that he wants to finance a new sub-division in Washington and it is his intention to lease or sell the home to only one racial group. He applies for an FHA loan, but under this ruling he would be ineligible for such a loan.

Penalties for Breach

Suppose Mr. A keeps mum on any intention of restricting his property to a specific group, signs the FHA agreement, accepts the loan through his financing agency, and enters into a contract without any racial stipulations whatsoever.

Then after the property is finished, he writes into the leases of the individual tenants a provision that they shall not sell or sub-lease to anybody other than their own race.

What can FHA do about it?

According to Dr. Horne, the latter act will be regarded as a breach of the original FHA contractural agreement and the loan will be immediately payable.

Basis for Forward Steps

The new ruling provides a new basis for individuals to seek court decision against private real estate dealers that might ultimately draw a ruling as to whether segregation is discrimination.

In bringing its policy in line with the Supreme Court's decision making restrictive covenants unenforceable, FHA cannot determine whether segregation is discrimination until such time as the Supreme Court determines that itself.

Because of this, FHA cannot refuse a loan because there is segregation, but it can and does refuse financing if the person or corporation seeking that loan puts in writing that he will not rent or sell to members of a specific race.

Ruling Not Yet Published

Actually the specific ruling about which there are so many interpretations and comments has not been published and will not be for a week or ten days. Until that time nobody, unless they have actually seen the draft, can interpret it adequately.

There are other provisions that have not been published that are more far reaching than those now under discussion, said Dr. Horne.

Actually the new ruling extends to new prospective home owners and persons seeking loans provisions already in effect on existing property under a directive issued by FHA on Feb. 18, he pointed out, adding:

"It stated that no application for mortgage insurance shall be rejected solely on the grounds that the subject property or the type of occupancy might affect the market attitude toward other properties in the immediate neighborhood."

It also set forth that:

"In addition to our previous policy on, under or over improvements, we also applied similar considerations to the introduction in any area of a different type of tenant or owner occupant.

"In the future, mortgage insurance shall not be precluded (1) because of a different type of occupancy regardless of whether or not it is in violation of a restrictive covenant, (2) nor shall such insurance be precluded on the ground that the introduction of a different occupancy type may affect the values of other properties in the area."

Birmingham Stands By Jim Crow, But Zones More Space For Negroes

BIRMINGHAM, Ala.—"As long as you live and as long as I live there will be segregation in Birmingham..."

That was the hotly voiced reply of Commissioner Eugene "Bull" Conner to a request to end segregation in the city made by local NAACP president A. C. MacLin here last week.

The issue was the rezoning of property for whites and Negroes.

Commissioner James W. Morgan joined in the hold-the-Jim Crow-Line chorus with this advice to MacLin: "The NAACP is making a big mistake in seeking to end segregation."

Rezones 30 Acres

The city commission backed up the two members by voting an ordinance which rezones about 30 acres for Negro homes.

During the heated meeting, MacLin had called on the commission to remove "all evidences of segregation and discrimination."

Added Morgan: "You know the segregation laws in the south are not going to be broken down without trouble. And the blood is not going to be laid on our hands."

To that assertion "Bull" Conner gave a roaring amen.

The 30 acre area rezoned fo Negroes lies in the hotly contested North Smithfield section. It i next to the site of five home purchased by Negroes.

NAACP To Push Fight

The homes were dynamited fo the second time recently b whites. However, during the sec ond bombing, the armed occu pants supported by friends fough back with gunfire. Located in ar area zoned for whites, the home are not affected by the new or dinance.

Meanwhile the NAACP fight t erase segregation locally is not over. Declared MacLin: "We plan to take this case to the United States court."

THE SMITHFIELD ROW

By STAFF WRITER

The idea of a committee composed of a comparable number of black and white citizens of stature to study and make recommendations designed to point out a just solution of the "problem" growing out of the efforts of some god-playing people to impose upon others illegal edicts growing out of subversive and unholy traditions and backward thinking is constructive. And could bear good fruit if the committee will bear in mind that this is the day of judgment and that they will have to be able to lift their thinking above that of race. They must see all, as Americans first, living in democratic society in which it is wrong for any all-Negro or all-white legislative group to make or attempt to make or enforce any law which gives legal sanction to injustice or where there is a denial of participation in the making and enforcement thereof based on color, creed or race. Whatever is wrong is a sin. And God is against sin.

The first step the committee should take it seems to me is to secure a pledge from all involved in the controversy to ceas e"fire" so to speak until the committee has ample time to conduct hearings on the question from a cross section of the citizenry of Birmingham on all levels.

After full and frank consultation, a secret ballot should be take nto determine the attitude of the majority and minority vote of the committee. A report of their attitudes and reasons should be published, followed by an opportunity for representatives of both groups to present their arguments to the people over the radio and through the press. After which the question should be put to the people as to whether they will adopt the recommendations of the majority or the minority. And in as much as it is important that the people be heard through the ballot on this matter some way should be found to be sure that the total votes will in itself be the voice of each group based on their ratio to the total population.

Into this whole matter, the dominant question should be: Shall any man, be he white or black, be denied the right and proetction in living anywhere he choses to live without regard to race, creed, color or nationality.

It is my feeling that no man should be prohibited from living in any residential section he so desires be he white or black. I don't think any white man should be intimidated in moving out of any section simply because some black people live in that community. And I further believe that any white or black man who doesn't want to live in an area where members of the other race lives should move out.

In my opinion, a mistake was made, if as reported some real estate men told white people in North Smithfield their property was going to be zoned for Colored when they knew any such zoning would be illegal and a form of confiscation. I further believe that by proper approach and attitude the white and black citizens of Smithfield could have gotten together if they had really wanted to so to do selflessly, without force and most certainly outside of politics and racism.

The whole thing is ridiculous, but it represents a home coming of things sown to the wind which always come back as a whirlwind. The only safe position, as I see it, for Birmingham to take is that any white of black person who wants to live anywhere in the disputed area may do so and have the full protection of the city, state and Federal Government. And that any one whose feelings run other wise should stay or move out of the area and let peace based on justice prevail.

It is well to keep in mind that benevolence in settling such matters is preferable to force.

Button Gwinnett Says

CRISIS IN SMITHFIELD

The Smithfield zoning crisis is a challenge to the Birmingham community. It involves us all in the necessity for a local solution to what is the most difficult domestic problem of our country and time.

It is a problem which does not permit of a legal or legislative solution. Under the 14th Amendment to the Federal Constitution any provision of an ordinance attempting any zoning classification based on race or color is absolutely void. Our own Federal District Judge Mullins has so ruled with respect to the very Birmingham ordinance which until his ruling was the basis of our local segregation. That ordinance is invalid and any further attempt to force any person charged with its violation to take his case to the Federal Courts would be a grave injustice to him and nothing short of an attempt to nullify the Constitution.

But to say that no legal steps are open to solve the problem does not necessarily mean that the problem is insoluble. The customs and traditions of the Southern people on the race issue have yielded only slowly to the 14th and 15th amendments since they were adopted 80 years ago. Feelings are very deep and if we ignore them serious trouble is likely to occur again in probably aggravated form. We have got to try to find a solution based on something other than law.

Under such circumstances, what better reliance can be found than the common sense of our people? In the grodual evolution of the Negro over many decades toward more equal and responsible participation in our common life, the Negro and white elements of the community have gotten along well simply on the basis of agreement as to what is and what is not practically possible. Why should not the Birmingham City Commission in the present situation call in the Birmingham Urban League, the Alabama chapter of the Southern Regional Council, an dleaders among the clergy, the teachers, the business men and other Negro groups and reach agreement with them as to fair and reasonable areas which may be allocated to Negro residential purposes? Some concessions to the Negroes to give them more adequate room for living should undoubtedly be made, but when the agreement has been reached there can be little doubt but that the rank and file of the Negro population would follow their leadership in accepting it. Then it will be up to the Commission and all the white citizenship to enforce the agreement among the white die-hards who may seek to resor to violence.

BUTTON GWINNETT,
Shades Valley Sun
June 9. 1949

THE SMITHFIELD ROW

The idea of a committee composed of a comparable number of blac kand white citizens of statute to study and nake recommendations designed to point out a just solution of the "problem" growing out of the efforts of some god-playing people to impose upon thers illegal edicts grow-

real estate men told white people in North Smithfield their property was going to be zoned for Colored when they knew any such zoning would be illegal and a form of confiscation. I further believe that by proper approach and attitude the white and black citizens of Smithfield could have gotten together if they had really wanted to so to do selflessly, without force and most certainly outside of politics and racism.

The whole thing is ridiculous, but it represents a home coming of things sown to the wind which always come back as a whirlwind. The only safe position, as I see it, for Birmingham to take is that any white of black person who wants to live anywhere in the disputed area may do so and have the full protection of the city, state and Federal Government. And that any one whose feelings run other wise should stay or move out of the area and let peace based on justice prevail.

It is well to keep in mind that benevolence in settling such matters is preferable to force.

Negroes Move In House Despite Zoning Law Row

House Is Same One At Which Bombing Threat Was Aimed

Dispute over white-Negro zoning laws in the North Smithfield area grew warmer again today as a Negro family moved into a home in a block zoned for white residential purposes.

The Rev. Milton Curry, Jr., pastor of New Zion Presbyterian Church, and his wife, moved into the house early today. He is a World War II veteran. The home is located at 1100 North Center Street.

It is the same house where William German, Negro, had attempted to move in 11 days ago. German moved out after being threatened with bombing if he remained there.

H. E. Hagood, city building inspector, was notified the Rev. Curry was moving into the home this morning.

All the furniture was moved into the house by 1 p.m.

A police patrol car was parked near the home while the moving van unloaded furniture for the house, which is in the area where three Negro homes were bombed in March.

* * *

Police instructed the moving van operator about 7:30 a.m. today to stop unloading furniture for the home, pending arrival of Mr. Hagood. Some of the furniture had been moved inside the house.

Two hours later the city building inspector arrived at the house.

"You're not coming in here blind," Mr. Hagood told the Rev. Curry.

"I've left my place on Finley Avenue, I've paid my rent for this house and I have to move in somewhere," the preacher replied.

"If that's your attitude, all I can do is warn you," Mr. Hagood said. "I'm not going to put you under bond now, I'll have to go back to our legal department and talk it over."

"IS IT ALL RIGHT if I move in?" the Rev. Curry asked.

"No, you will be violating the law," Mr. Hagood told him. "You're a Birmingham man and know what you're doing."

"I don't mean to violate the law," the pastor said. "I had to move."

City Detective Paul McMahan talked with a private detective, who was not identified. The private detective was said to have been retained to look after the Rev. Curry's interests in the case.

Detective McMahan warned the other man "not to advise" the Rev. Curry.

City commissioners conferred over the problem at City Hall this morning.

About 12:30 p.m., about five hours after they were first stopped, the Negro family completed its moving of furniture into the house. Meanwhile, no word was forthcoming from City Hall.

TODAY'S ACTION came against a background of rapid developments in the North Smithfield zoning dispute.

1. The Federal Bureau of Investigation yesterday started a full investigation of the March bombing of three Negro homes on 11th Avenue, West.

2. The City Commission yesterday established a "buffer area" at North Center Street to separate the white and Negro zones.

3. The commission suspended Robert E. Chambliss, city garage employe, for 10 days. Chambliss was charged with threatening to blow up the house at 1100 North Center Street unless the Negro who was moving in vacated immediately. The Negro moved out when told the house is in an area zoned for white residence.

4. Mayor Cooper Green pleaded last night for "calmness and coolness" on the part of both sides. He asked for a "sane approach" to the problem "to bring about law and order."

* * *

U. S. ATTY. JOHN D. HILL revealed that the FBI will dig fully into the background of the March 25 bombing and the recent bombing threat. At the same time he disclosed the FBI has completed investigation of the 1947 bombing of a Negro home in the strife torn area.

Col. Hill said the investigation now under way is aimed at determining whether a conspiracy existed that was responsible for the 1947 and 1949 bombings and threats. Also, he said, the FBI will determine whether or not the federal government has jurisdiction in the incidents or whether they are strictly local affairs.

BY A TWO-TO-ONE VOTE the commission voted to zone the 50 feet east of Center Street as a commercial area. No residences could be built in that 50-foot strip.

It was meant to act as a buffer between the white and Negro zones. All east of the strip in North Smithfield was to be zoned for Negroes, and all west zoned for whites.

The ordinance originally was drawn up to provide for a 150-foot buffer strip. Mayor Green and Commissioner Morgan voted to change it to 50 feet. Commissioner Connor voted against the entire bill.

In changing it, the commission left a 100-foot strip east of Center Street. It was zoned for white residence, and since it was cut out of the ordinance — it is still zoned for whites.

Thus the commssion unwittingly set up a buffer area between the white zone west of Center Street and the 100-foot strip east of the street.

To zone the 100-foot strip for Negroes, another public hearing will have to be called. If it is, members of the College Hills-Graymont Civic Association are sure to protest.

Neither they nor Negro property owners at yesterday's commission meeting were satisfied.

Arthur Shores, Negro attorney the property" owned by Negroes in that area.

H. G. Jackson, representing the civic association, pleaded with the commission to keep the 150-foot buffer area where residential construction would be prohibited.

ALTHOUGH A PUBLIC hearing on the buffer strip was called by the commission last month, yesterday's decision came as a surprise.

Mayor Green said a few days ago tht he expected the whole question to be submitted to a "non-partisan committee" for study. Instead, he introduced the idea of cutting down the buffer area from 150 feet to 50 feet.

In pleading for calmness, the mayor said, "Continued bickering will only bring grief and repercussions harmful to both sides, unless we get together and survey this matter in a calm and deliberate manner—and outside the technicalities of the law—agree to live up to what we believe is a fair answer to the question involved. A sane approach will bring about law and order."

Commissioner Connor went to the house and talked with Curry.

The commissioner said he told the Negro "it would be best that he not move in until the issue was settled.

"I told him I had reason to believe there may be trouble."

The commission yesterday set up a "buffer" strip between white and Negro sections in the area. The 50-foot, six-block long strip is zoned for commercial construction only.

The house rented by Curry is the same in which another Negro, William German, sought to move into two weeks ago. German left after he said he was threatened with bombing. The house is in the white zone adjoining the "buffer" strip.

A city garage employe has been suspended for 10 days in connection with the incident.

The FBI is investigating the March bombings.

Talks To Negro

The One Way Forward

The difficult and dangerous problems having to do with white and Negro residential areas in Birmingham involve sharply conflicting ideas, feelings and human needs.

Surely it must be very plain to all that any threat of arbitrary disruption of the general patterns of these areas would be deeply disturbing to feelings, values and racial relationships generally. Any changes that come about should be made on a basis of understanding and fairness for all.

It is to be kept clearly in mind that Negroes urgently need a greater number of acceptable homesites. Positive and continuing steps to that end should be pressed.

It is obvious that no law in itself can provide a comprehensive solution of these problems.

It is to be realized that in a federal court decision in Birmingham zoning based on color was held unconstitutional.

Surely it must be evident to all that violence can only incalculably intensify trouble and danger in this situation and cannot possibly lead to a satisfactory settlement of pending issues. On the contrary, it could mean terrible tragedy for the entire community — a profound setback in the progress that has been made in recent years in racial relations.

These basic considerations stand out in any broad appraisal of the complex and delicate zoning problem. White and Negro citizens sincerely seeking a cooperative, just and realistic program for dealing with the situation should and will, we are confident, acutely needed. They could be disastrous. They should, and we hope, will be steadfastly and generally avoided.

Bitter controversy and conflict will intensify issues and feelings. One-sided approaches will deepen trouble. Mutual consideration and fairness for all should be the resolute intent of all.

If these problems are cooperatively approached in the right spirit, ways can be found for constructively dealing with them. Solutions can be found that will aim at the greatest possible justice and satisfaction for all, at the protection of all proper interests and at the meeting of definite human needs.

Efforts in any quarter in a narrow and arbitrary spirit cannot lead toward the fair and cooperative program that now is so

Police Stationed In Negro's House In White Area

BIRMINGHAM, ALA., June 1 (AP)—Police officers were stationed tonight across from a house occupied by a Negro family in an area zoned for whites.

The Rev. Milton Curry, Jr., Negro minister, and his wife moved today into the house in the Smithfield area on Birmingham's Westside, where three unoccupied houses bought by Negroes were dynamited last March 24.

Police Commissioner Eugene

Looking For A Solution

A committee of residents of the Graymont-College Hills section is going to meet with the City Commission, the Birmingham Real Estate Board, and with Negro leaders of the community to seek some way of solving the zoning problems which have arisen recently in this city. It will be remembered that less than a week ago, three houses recently sold by white owners to Negro purchasers in the Graymont district were bombed, presumably as a warning to Negroes to stay out of the area.

It is extremely heartening to know that a sincere effort will be made to find a way out of a very serious situation. It is gratifying to know that residents of the area recently affected, members of both races, may come together for realistic and dispassionate discussion. It is particularly pleasant to record that responsible officials of the city and of the Real Estate Board will strive for a sensible solution which is fair to all concerned and which should take into consideration the legal status of zoning in Birmingham.

For the fact remains that Judge Mullins' decision of Aug. 4, 1947, ruled that the city has no authority to draw zoning lines based only on the matter of race. Sections 1604 and 1605 of the Birmingham City Code which restricted use and occupancy of property on racial grounds were declared unconstitutional and null and void.

The city cannot therefore legally withhold building permits or certificates of occupancy on grounds of race alone. But it would be exceedingly unwise for any Negro to push himself and his family into a strictly white neighborhood. Neither he nor his neighbors could be happy under such circumstances, and both races must be aware of that fact. Responsible leaders among the Negroes would be the first to admit it.

* * *

What happened in the Smithfield area was that Negroes had built homes and bought houses just beyond the boundaries of a section zoned for their residential use.

The bombings followed. Such action by any person is utterly indefensible. The only reasonable way of coming to an understanding is through the sort of discussion projected by those residents concerned and by officials of the city.

Such a meeting is to be sincerely welcomed.

A Call To Christians

It is heartening to record that the Birmingham Ministers' Association has decided to ask the Christian people of this city to help restore, in some measure, the grievous wrong done in the recent bombing of Negro homes in the Smithfield area. On Sunday, May 15, all of the white Protestant churches in Birmingham will receive a special offering to be applied to this end.

One of the home owners was a bishop of a Negro denomination. He had bought the property in good faith, not expecting trouble to result. Into the purchase he had put much of his lifetime savings. Help for him and other victims of this vicious act will be a manifestation of true Christian helpfulness and good will.

The association went one step farther. It passed a resolution asking that the Birmingham Real Estate Board, the Birmingham Zoning Board, the Birmingham Chamber of Commerce and any other related organizations meet with the ministers' Community Life Committee in an effort to work out a solution to the vexing problem of Negro housing. It seems to this paper that such a move could be of incalculable value. What is needed is an understanding of diverse points of view. The community's Christian leadership could perform no better service to the whole city than that of bringing a Christian attitude to bear upon a perplexing social problem.

Residence Is Target Of Hoodlums

Dynamite Used To Blast Property Of Ohio Dentist

By NNPA News Service

WARREN, Ohio—The $50,000 house being built on Parkman N. W., by Dr. Samuel A. Brown, well known local physician, was damaged by a home-made dynamite bomb which exploded at about 9:45 last Wednesday night Police Chief William E. Johnson reported last Thursday.

Chief Johnson said the first report of the bombing was received when a contractor's employee called the police desk at 7:45 a. m.

Construction officials reported about $3,000 damages to the Lexington avenue side of the house. Windows were shattered here and at the home of Robert Nettleship nearby.

BELIEVED SPITE WORK

Mrs. Anita Brown, wife of the physician, said she "believed the bombing was done for spite and followed two threats which the family received last June when the house site was being excavated.

She said the threats said "The Browns should not build a house in that area."

Neighbors in the area told police that they had felt the blast, but that they thought little of it, believing it was a slag dump explosion at the Copperweld Steel Company plant a short distance away.

Chief Johnson said the bomb was fashioned out of two or more dynamite sticks.

The Browns are now living in their home on Oregon N. W., also on the west side of the city, and expect to move into their new home in about six weeks.

Dr. Brown and his family have lived in Warren the last 13 years. They have a daughter, Barbara, 14, who attends Harding High School here and a son, Kenneth, 18, who is a student at Amherst College in Massachusetts.

Detective Sgt. John Lepola said that he had found two pieces of a slow-burning fuse in an outside basement window well on the left of the blasted area. He said one was about fifty inches long and the other measured about seven inches.

Negro Land Owners Protest The Charge They Didn't Cooperate

A Negro property owners group today asked the City Commission to grant them an audience to "iron out difficulties in the zoning ordinances."

An open letter to Mayor Cooper Green, and Commisisoners James W. Morgan and Eugene (Bull) Connor, declared that the Birmingham Property Owners Protective Organization, representing Negro owners of real estate, had made several attempts to discuss zoning with the commissioners.

The letter, signed by R. F. Coar, president, and W. H. Hollins, chairman of the executive committee, declared that the Negro property owners have been "and are now desirous of discussing and attempting to reach an amicable solution with men of good will which be beneficial to all concerned."

Coar and Hollins charged that the Negro group had not been given an opportunity to "cooperate" in efforts to iron out the zoning difficulties.

"Owners of Negro property in this area have not been, as alleged, un-cooperative, but have consistently been ignored by your office and the Graymont College Hills Civic Association," the letter said.

The Graymont-College Hills Civic Association had deplored the recent bombing of houses bought by Negroes and had met with the City Commission to discuss zoning.

Ministers Ask Offering To Repair Negro Houses

BIRMINGHAM, Ala., May 2—The Birmingham Ministers Association voted today to receive an offering in white Protestant churches here Sunday, May 15, to help repair three Negro houses bombed recently.

Dynamite blasts wrecked the unoccupied houses several weeks ago in the western section of the city. The houses are on the fringe of a white section.

The case is still under investigation.

A minimum of $18,000 is needed, the resolution said, to restore the houses.

Cops Join Mob In Feud Over Homes

BIRMINGHAM — The month-long clashes between Negroes and whites over possession of homes in certain areas here is shaping into a test of last year's U. S. Supreme Court rulings outlawing restrictive covenants.

Resistance to Negroes moving into neighborhoods, heretofore regarded as white, has been expressed through bombings, the gathering of threatening white mobs, and the collusion of city officials and members of the Ku Klux Klan.

Telegrams have been sent to President Truman, Gov. James E. Folsom, County Sheriff Holt McDowell and City Police Commissioner Floyd Eddins this week by the local NAACP demanding protection for Negro residents who have been threatened with violence if they do not move out of the North Smithfield district.

Meanwhile, local attorneys for the NAACP are planning a legal attack on the city zoning ordinances which have been used by city officials to force Negroes from homes they have bought in certain areas.

The significance of these forthcoming legal battles which will be carried to the U. S. Supreme Court again, if necessary, is regarded as widespread since similar subterfuges are being used through the South to evade the federal ban on racial residential restrictions.

Incidents last week have added to the tension that has been gradually mounting since early in May through a series of flare-ups that were climaxed in the bombing of three Negro-owned homes May 24.

Last week, two Negro ministers, Rev. Milton Curry, Jr., of New Zion Presbyterian Church and Rev. R. E. Deyampert, of Elam Baptist Church, were threatened by anonymous telehone calls from white hoodlums, warning them that they would be "bombed out" if they attempted to occupy their homes in an area restricted to white residents by a city ordinance.

Following the anonymous warnings, the ministers were visited by Police Commissioner Eugene "Bull" Connor, who warned them officially that they might be arrested for violating the city segregation ordinance, and then warned them unofficially that if they did not move out "he had reason to believe that there might be trouble and violence."

The threats and warnings to the two ministers came on the heels of a threat of violence by the Ku Klux Klan and an order by a city official the week before, which caused William German to vacate the house now occupied by Rev. Curry.

Two other homes in the area were bombed on May 24 following their occupancy by Negro residents.

Both Revs. Curry and Deyampert declared that they will not be intimidated by threats of violence, or warnings of arrest.

"I am here to stay," Rev. Curry declared. "I believe that a person should be allowed to live in peace wherever he wants to so long as he is a good citizen and not disorderly. There are other sections of the city where white and colored residents live side by side without difficulty. I don't see why this neighborhood should be an exception."

Rev. Deyampert has lived at his present address for some time unmolested, and only since the May 24 bombing has he been annoyed or threatened.

"Yes, I am going to stay one," he said, "but I am going to be cautious. I believed that the police should protect all law-abiding citizens from violence."

City officials, despite "Bull" Connor's threats to the two ministers, are none too anxious to have the arrests made under the city ordinance which forbids Negroes to move into or live in areas restricted for whites only, as they believe that it is unconstitutional

under the Supreme court ruling.

Busybody whites are therefore depending upon threats and violence in an attempt to frighten the Negro residents into moving out without a test of the law.

Meanwhile, FBI agents, in response to a request by Dist. Atty. John D. Hill, have launched an investigation of the Klan-inspired bombings and threats against Negro residents in the trouble area.

George D. King, special agent for the Birmingham FBI office, refused to elaborate on the investigation, but it is reported that several city officials have been questioned, and a number of known Klan members are under surveillance.

Negro Preacher Defies Zoning

BIRMINGHAM, ALA., June 2 —(AP)— A Negro minister today defied the city of Birmingham to oust him from a rented house in an area zoned for whites only.

The minister, the Rev. Milton Curry, Jr., returned to the house early this afternoon despite warnings by city officials that he would be arrested.

"I'm back to stay," he said.

City Commissioner James W. Morgan said a warrant will be served on him charging violation of a recent city zoning ordinance.

Maximum penalty on conviction of such a charge is a $100 fine and 180 days in jail.

The residence is near where three unoccupied houses were badly damaged by dynamite blasts the night of March 24. The three had been bought by Negroes for occupancy. The FBI is investigating.

The Rev. Curry moved his furniture into the house yesterday. However, he and his wife spent the night next door at the home of another Negro minister.

City Commissioner Eugene Connor had warned him he had "reason to believe there may be trouble."

The other Negro minister, the Rev. E. B. Deyampert, at whose home the Currys spent the night, also was warned by the commissioners that he is violating the zoning ordinance.

Deyampert, who has lived in the house several years, was told he could own the house but couldn't live in it, according to the ordinance.

In that sacred city, Known as Birmingham, Colored folks rights, Are not worth a ham.

Birmingham, Ala.—The tension surrounding the movement of Negro home owners into a white residential zone brought another threat of violence.

A Negro minister's wife, Mrs. Milton Curry Jr. said she received a telephoned warning that "if you don't get out of there we'll blow you out."

The unoccupied homes of three other Negroes who purchased in the same area were dynamited March 24.

The National Association for the Advancement of Colored People appealed for protection yesterday to President Truman, state and local officials for the homes of the Rev. Mr Curry and the Rev. E. B. Deyampert another Negro mintster.

In Washington, a White House aide said today the appeal had been referred to David Niles, administrative assistant who handles minority problems for Truman.

Wahouma Residents Are Up In Arms Over Planned Negro Project

Assert They'll Circulate Petitions; Zoning Board Delays Action For Day

The matter of Negroes living in white areas was up in the air again today at City Hall.

A dozen Wahouma residents told the City Zoning Board they will "fight all the way" a proposed 30-unit Negro apartment project slated for Kentucky and Third Avenues. It would back against the L & N Railroad tracks on 65st Street.

* * *

PLANS CALL FOR A portion of the $92,200 project to be built on property already zoned for Negro residents. The owners, Kentucky Gardens, Inc., are asking the zoning board for permission to build some of the apartments on property zoned fo light industry.

They want an exception from the ordinance prohibiting Negro residences in a light industry zone within 300 feet of a white residence.

The apartments would be closer than 200 feet to some white residences.

The zoning board delayed action until tomorrow morning when a "full board meeting will be held on the question."

* * *

BUILDING INSPECTOR H. E Hagood revealed that a permit for construction of the apartments was granted last Tuesday while he was at the City Commission meeting. He said the arror was found shortly thereafter and the permit was voided.

Mr. Hagood said his office had received a number of complaints about the proposed Negro apartments during the past few weeks.

The Wahouma group obtained petitions from the zoning board. They said they intended to circulate them today and would have the mbac by Wednesday with the names o hundreds of persons opposed to th proposed apartment building.

NAACP Seeks State, U. S. Aid In Zoning Issue

Protection Withdrawn Telegrams Say; Ask White House Action

Federal and state protection of North Smithfield homes occupied by two Negro ministers was asked this afternoon.

The Birmingham Branch of the National Association for the Advancement of Colored People sent telegrams to the following asking that the homes of the Rev. Milton Curry, Jr., and the Rev. E. B. DeYampert, on North Center Street, be protected.

President Truman, Gov. James E. Folsom, Sheriff Holt McDowell, Police Chief Floyd Eddins, City Commissioners Eugene Connor and James W. Morgan.

* * *

THE TELEGRAMS set out that hourly police protection has been withdrawn. A police patrol car now cruises about the North Smithfield area and for several days police were stationed across the street from the two homes. These police have now been withdrawn, however.

The wire to President Truman urged that "the prestige of the White House be thrown behind efforts of Negro citizens to have protection here where their civil liberties are threatened."

The NAACP said in its wire to Gov. Folsom that "local officials have indicated that they will not be responsible any longer for the protection of the homes of the Rev. Milton Curry and the Rev. DeYampert."

The wires were signed by A. C. Maclin, president of the local NAACP branch.

Meanwhile, City Commissioner Morgan planned to call a meeting of a group of white citizens to work out a peaceful solution of the North Smithfield zoning dispute, which was precipitated when the Rev. Curry moved into the house at 1100 North Center Street although it is zoned for white residential purposes.

BIRMINGHAM MINISTER TO STAND "PAT"

BIRMINGHAM, Ala.—((INS))— A warrant charging violation of Birmingham's zoning Law is awaiting Rev. Milton Curry, Jr. if he moves back into a house in the white residential area of the city.

Wednesday Rev. Curry and his wife moved part of their furniture into the house which was across the street from three Negro homes recently destroyed by dynamite.

But they moved the furniture out again and spent the night at the home of another Negro minister after talking with the city building inspector and police commissioner Eugene (Bull) Connor.

Connor said that it would be for the "Best interest" of the entire neighborhood if the Rev. Curry did not move in.

He said that another Negro, William German, had moved into the house twelve days ago, but left the same day after being threatened by some white men who said that the house would be dynamited if he stayed.

The Rev. Curry indicated today that he intended to move back into the house. He didn't say when, and city commissioner James Morgan warned that a warrant charging violation of a recent zoning ordinance would be served if he did.

Bombing Threat Phoned To Negro Pastor's Family

Female Voice Warns 'Get Out Or We'll Blow You Out,' Wife Says

An anonymous phone call threatening destruction of the home of the Rev. Milton Curry, Jr., at 1100 North Center Street, was received by the minister's family last night.

The minister's wife reported a woman's voice on the phone told her as follows:

"If you don't get out of there, you — —, we'll blow you out."

The person making the call then hung up.

This was the latest development in the North Smithfield zoning row, which was precipitated this week when the Rev. Curry moved into the North Center Street home, although he was warned by city authorities that he was violating the city's zoning laws.

That block is zoned for white residential purposes.

* * *

COMMISSIONER JAMES W. MORGAN called a meeting of leading white citizens at his office this morning preparatory to naming a citizens' committee to be composed of white and Negro members, which will be asked to recommend a solution to the city's zoning problems.

The committee met with Mr. Morgan at City Hall this morning. Names of members or their number was not disclosed.

Mr. Morgan said the committee would meet again early next week.

"We're very hopeful of reaching a solution that will settle this problem peacefully," the commissioner said. "We're sure a solution will be worked out that will be satisfactory to all parties concerned."

DIRECTORS OF THE Birmingham Real Estate Board have adopted a resolution endorsing the suggestion that a citizens' committee be named to study the city's zoning problems.

The resolution stated:

"Directors of the board recognized the dire need of adequate and progressive adjustments of certain zoning limits in our city.

"A proper understanding of this problem is essential in the establishment of mutual and friendly feeling among all classes in our city.

"It is our belief that the zoning laws should be upheld, yet we recognize that the city has a definite responsibility to properly zone, for our colored population, residential areas comparable to our white area. We believe the unqualified acceptance of this responsibility will eliminate further problems of this nature."

The directors then resolved to give "our wholehearted support to the appointment of a committee of representative and qualified citizens to give careful study to the zoning problems and . . .

"That the findings of this committee, with its recommendations, be submitted to the Zoning Board and the City Commission at the earliest practicable date, for their immediate consideration, and . . .

"That the Real Estate Board offers its services to the appointed committee, the Zoning Board and the City Commission, if such service is desired."

The resolution was signed by Louie Reese, Jr., board president, and John L. Braswell, executive vice president.

He Insists On Meeting After Negro Residences Shaken By Dynamite

Says He'll Come Up With Positive Action Tuesday Regardless Of Whether Green And Connor Go Along; None Hurt In Bombings

Birmingham's city commissioners will go into a huddle Monday morning on the North Smithfield zoning row.

The session was termed a "must" by Commissioner James W. Morgan. He said he will insist that Mayor Cooper Green and Commissioner Eugene (Bull) Connor meet with him.

The zoning question became red hot at midnight Friday when dynamite sticks exploded in front of two Negro houses.

"We need immediate action," Morgan said. "If necessary, I will insist that the other commissioners meet with me to thrash out an answer."

* * *

Resolution Adopted

MR. MORGAN SAID the Graymont-College Hills Civic League had adopted a resolution at a meeting last Tuesday setting out its desires in the zoning case. The organization has fought hard against any changes in North Smithfield zoning.

"I have asked for a copy of the resolution, and expect to have it Monday morning," Morgan said. "And I hope that on Tuesday, at our commission meeting, we will have some kind of an answer. I am going to do everything that I can. But I will need to have the other commissioners come along with me to make it effective."

Morgan made it clear that whether or not his fellow commissioners go along with him—he will come up with "positive action" at the Tuesday meeting.

* * *

Trouble Anticipated

THE BOMBINGS also brought comment from Connor and Green.

Connor said the dynamitings could have been prevented if the Negro ministers whose homes were the targets had cooperated with police.

He said he had learned from Police Chief C. Floyd Eddins that the Negroes anticipated trouble. "But they tried to take the law into their own hands."

He said that instead of calling police the Negroes had called in their neighbors. "I understand they had shotguns and pistols and were waiting for them when the dynamiters came around."

Mayor Green termed the incident "regrettable" and said he was in favor of anything suggested that will bring peace and harmony to the North Smithfield area.

The midnight blasts, seconds apart, rocked the Negro ministers' homes. Windows were shattered, shades were shredded and a few planks were knocked loose. But there was little structural damage to the homes.

Proposed Statewide Segregation Measure Introduced In House

BY HUGH SPARROW
News Staff Writer

MONTGOMERY, Ala., Aug. 14—A proposed statewide segregation bill along the lines advocated by Birmingham City Commissioner Eugene (Bull) Connor was introduced in the State Legislature today.

It was offered in the House by Rep. Pugh Haynes of Lowndes. Sen. D. B. Owens, of Marshall, plans to offer it in the Senate.

The measure sets out in its preamble the contention that neither the state, county, nor municipal law enforcement agencies are able to completely police, supervise and safeguard persons, and property of persons attempting to establish a residence in an area not commonly recognized as one to be occupied by members of that race.

* * *

THE BILL PROVIDES that it shall be a misdemeanor for a white man to move into an area generally and historically recognized as an area for occupancy by members of the colored race.

Section III makes the same provision regarding Negroes attempting to move into or occupy residences in areas set aside for occupancy by members of the white race.

Section V provides that moving into for the purpose of establishing a permanent residence shall constitute a separate offense from remaining there, and remaining in the residence in a prevented area for each 24-hour period shall constitute a separate offense.

Punishment is fixed at imprisonment in County Jail for not more than one year or by a fine of not more than $1,000 or both by fine and prison.

Negroes Advised—

Smithfield Meeting Violated BHA Code

Eight Negro organizations were advised today that a mass meeting held in Smithfield Court Wednesday violated regulations of the Birmingham Housing Authority.

Harold Harper, executive director of BHA, wrote letters to officers of the organizations warning that future use of the federal housing property without permission "will likely prove embarrassing."

The letters pointed out that permission of the authority is necessary before "outside organizations" may use the facilities.

* * *

COPIES OF THE LETTERS were sent to Public Safety Commissioner Connor.

Organizations named were the Inter-denominational Ministerial Alliance, Social Workers Council, Birmingham Emancipation Association, National Association for the Advancement of Colored People, Progressive Democratic Association, Property Owners Protective Association, Birmingham-Jefferson County Housewives League, and the Birmingham Business League.

The mass meeting brought an appeal for abolition of racial zoning in Birmingham.

More than 2,000 Negroes attended

Zoning Dispute—

Detectives Free Man Held For Questioning In Home Bombings

Police are continuing their probe into the Smithfield bombings, according to assistant chief of detectives, M. S. D[illegible]

Saturday night, the bombing probe was marked by the questioning and release from jail of a Negro resident of the embattled Smithfield area.

Benjamin Henderson, 39, 1100 North Center Street, one of the bombed homes—was held in jail for four hours, questioned and given a lie-detector test.

Chief of Detectives C. L. Pierce ordered Henderson released late Saturday night after results of the lie-detector test became known.

* * *

THE TEST WAS analyzed by Det. J. R. Norrell, technician in charge of the tests. Norrell was reported to be satisfied Henderson had been telling the truth.

Henderson was a main figure in the police investigation of the bombings that rocked the North Center Street section over a week ago. He told police at the time he had followed the dynamite car for "five or six blocks," about two hours before the bombing took place.

The explosives were dropped by men in a car on the 11th Avenue side and in front of 1100 North Center Street.

A group of Negroes who said they had been waiting on the front porch of 1104 North Center Street, told of opening fire on the car, apparently without success.

At the time of the twin explosions, 18 persons were in the two houses, both occupied by Negro ministers. No one was injured.

The two houses are in a section zoned for white residence only.

BIRMINGHAM ZONES SEGREGATE RACES

Negroes, 43 Per Cent of City's Population, Have 16 Per Cent of Living Space

Special to THE NEW YORK TIMES.

BIRMINGHAM, Ala., Aug. 10—A new racial zoning ordinance was in operation here today while lawyers squabbled over its constitutionality.

The ordinance, which is Police Commissioner Eugene Connor's solution to racial disputes over residential areas, bars Negroes from living in white sections and whites from living in Negro sections. It provides fines up to $100 and jail terms up to 180 days for violation.

"Pass this law and the first one who moves in, white or Negro, I guarantee you Connor's men will put in the jug," said Mr. Connor in arguing for the ordinance before the City Commission.

Adoption is Unanimous

It was adopted unanimously after Mr. Connor's plea, although Commissioner James W. Morgan, who voted for it, said:

"I would like to know where our large Negro population is going to live and build."

Negroes comprise 43 per cent of Birmingham's population. The zoning low gives them 16 per cent of the city's 52-square-mile living area.

The segregation problem has plagued Birmingham since two Negro homes were bombed last Spring. Several attempts have been made by Negroes to move into the same area, which is zoned "white" but borders a Federal slum clearance project.

The whole question is also tied to recent racial violence that led to a grand jury investigation of the Ku Klux Klan.

Until the new ordinance was approved the city had no means satisfactory to officials of dealing with the situation. Whether this one will be satisfactory may depend on judicial views. Mr. Connor said it was prepared by some of the best legal minds in the state and would stand court tests. He said he would seek a state-wide law similar to it.

City Attorney Differs

But City Attorney J. H. Willis warned that if a Negro filed a class suit in U. S. District Court the city would lose.

Future friction may come from the fact that there are just not enough desirable sites for "middle class" Negro homes in Birmingham's city limits. Considerably less than half of the area zoned for Negroes can be considered desirable for home sites. A large part of that area consists of ramshackle houses barely within the requirements of a not-too-stringent fire and sanitary code.

Property owners in areas zoned for whites are very fearful that any encroachment toward their borders will decrease market values of their holdings. So the chance of ever getting more area zoned for Negroes is small.

Officials of the city are keenly aware of these factors. They see as their only hope to relieve the situation an election to be held Sept. 13.

At that time voters of several near-by incorporated towns will vote to determine whether they shall merge with Birmingham. Even if they do it will not help Birmingham's segregation problem much.

But at the same time Birmingham residents in those areas cannot vote on the issue. But if the territory is annexed by Birmingham it will open up a considerable area that can be zoned for "middle class" Negro residences.

TWO NEGRO HOMES ROCKED BY BOMBS

Houses of Clergymen Scene of Attack at Birmingham—Raiders Under Gun Fire

(AP)—A tense racial zoning row erupted today in the dynamiting of two Negro ministers' homes and answering gunfire by Negroes guarding the houses.

Two midnight blasts, seconds apart, rocked the adjoining Negro houses in an area zoned for whites only. Windows were shattered and a few planks knocked loose.

There was little damage although the heavy explosions were heard over most of Birmingham.

The Rev. E. B. Deyampert, one of the Negro ministers, said three or four Negroes fired with pistols and shotguns at a speeding automobile from which the bombs were hurled. The shots apparently missed.

Eighteen Negroes were on the porch or in the houses at the time, Mr. Deyampert said, but none was injured.

The other minister, the Rev. Milton Curry, said the same.

The houses are a half block from patrol cars. One Negro was arrested by reporters if he planned to move, Mr. Deyampert replied: "This is my home and I'm going to stay here."

Police Rush to the Scene

Crowds of Negroes gathered within a few minutes. All available police rushed to the scene in and charged with refusing to obey an officer's command to

move on.

Mr. Deyampert said the dynamite was thrown by an unmasked white man riding on the running board of the car.

One bomb fell on the lawn about twenty feet from the front porch of Mr. Curry's house. It dug a two-foot crater. The other struck a curbing and shattered the stone.

Mr. Deyampert told officers he was seated on the front porch of his home with seven other members of his race. He said he had called them to join him earlier because he feared trouble.

About two hours before, B. W. Henderson, who also lives in the Curry house, trailed a car with dimmed lights that halted briefly across the street.

He said he followed it several blocks to where two other cars apparently were waiting for it. He wasn't able to get the license tag numbers. Mr. Henderson said he told Mr. Deyampert and they called others.

Police Commissioner Eugene Connor charged the Negroes "are partly to blame for the incident for not informing police."

Declares Tip Had Been Given

"They (the Negroes) had a tip from a Negro that something was going to happen last night," he said in a statement. "Instead of calling the police, they called in their neighbors. I understand they had shotguns and pistols and were waiting for them when the dynamiters came."

The commissioner said police could have prevented the incident if they had been notified.

The months-long controversy stems from the slow encroachment of Negroes into areas restricted to white occupancy. This is particularly so in the North Smithfield area in which the houses were bombed. It adjoins the Smithfield Federal Negro housing project.

The city sought to set up a buffer zone between white and Negro residences there. City lawyers later said they believed the ordinance was illegal.

The three houses bombed last March had been bought by Negroes for occupancy but were vacant at the time they were blasted. The case has never been solved.

Mr. Curry and Mr. Deyampert later moved into their houses. They were ordered by city officials to move. They refused. Anonymous phone callers told them to get out.

No legal action had been taken against them.

Their Stand Announced After Commission Okehs New Law

Racial zoning in Birmingham will be tested in Federal Court.

That word came today from Negro leaders after a heated City Commission meeting. Commissioners approved a new law which opens for Negro residents the area north of 11th Court, North, and west of Center Street. Elsewhere in the disputed North Smithfield area, north of 11th Court, North, and west of Center Street. Elsewhere in the disputed North Smithfield area, Center Street was set up as the dividing line between whites and Negroes.

Acceptance by the commission of the new boundaries was a foregone conclusion.

But before they got around to adoption, Commissioners Eugene Connor and James W. Morgan made a staunch defense of segregation here.

* * *

ONLY 16 NEGROES were on hand today.

Their speaker was A. C. Maclin, president, Birmingham Branch, National Association for the Advancement of Colored People.

He gave the commissioners a petition signed by about 10,000 Negroes. It protested the zoning plan.

Maclin said after the meeting that Birmingham's racial zoning will be carried to the highest courts. He told the commission that today's action was unconstitutional.

He called for removal from our "national life all evidences of segregation and discrimination."

"You can eliminate the harshness which will arise if this zoning ordinance will have to be tested in Federal Court," Maclin said. "This is your challenge and if your choice is un-Christian and undemocratic, the blood of any person shed because of a disturbance as well as the blood of any American soldier, who may die in the next war, is upon your hands and not upon mine."

* * *

CONNOR ANGRILY REPLIED, "Maclin, if there is any bloodshed, you know whose hands it will be on."

The commissioner said the city will "uphold the traditions of the South whether or not you or the N. A. A. C. P. like it."

He said Negroes in the South have advanced during the past 100 years at the expense of white taxpayers who are "hump-shouldered from the effort."

He bitterly attacked President Truman and other sponsors of civil rights legislation.

Maclin asked Connor, "Do you expect us to abide by less than what the Supreme Court of the United States rules?"

Connor replied, "I don't care what you do. . . . That's a bluff. . . . The Supreme Court has not ruled on a case in Birmingham."

MACLIN SAID THE COURTS' rulings affect all of the United States.

Morgan jumped into the debate by saying that if the N. A. A. C. P. is trying to break down segregation laws, "it's a big mistake. You know the segregation laws in the South are not going to be broken down without trouble. And the blood is not going to be laid on our hands."

After applause from the white persons present died out, Morgan said he wanted to "keep peace and harmony here." But he warned the Negroes again to abide by segregation laws.

Connor jumped back into the picture by accusing Maclin and Emory O. Jackson, editor of a Negro paper here, as being members of a subversive organization. Both stoutly denied it. Then Connor told Maclin:

"As long as you live and as long as Connor lives, there will be segregation in Birmingham and in the South."

THE POLICE COMMISSIONER charged that the whole question here was started by "a bunch of Communists and Socialists."

The decision to do away with the buffer strip and use Center Street as the dividing line came as a surprise. That was only part of a recommendation of the citizen's committee that was adopted. The Graymont-College Hills Civic Association withdrew their demand for the buffer strip in a letter received by the commission today. The strip, still zoned white, extends along the east side of Center Street, between Ninth Court, North, and 11th Court, North.

Creation of this buffer strip had been bitterly protested by city attorneys, who warned that it would not stand a court test. That fact probably had a lot to do with the civic association's withdrawal of the request.

The commission will act at a public hearing to change the buffer strip zoning from white to Negro.

Three weeks ago the City Commission rejected North Smithfield zoning changes submitted by a citizen's committee and by the City Zoning Board. Both would have turned over more land to Negroes.

The citizen's committee recommendation called for Center Street as the dividing line, with all the area north of 11th Avenue, North to be turned over to Negroes.

This morning, Morgan moved for adoption of that plan, but it was voted down two to one as expected.

Vets In Montgomery Protest Negro Project

MONTGOMERY, Ala., Sept. 23—(AP)—Ex-servicemen living at the Veterans Court project in Montgomery don't want a Negro housing development built near them. They told the city planning commission so yesterday.

Negroes In Zone Row Threatened In Letter

The News

"The city can hardly affort a couple of cops to guard you always."

The letter was signed:

"An adviser of that is to come."

Sun. 6-5-49

THE FBI [illegible]EADY is investigating the bo[illegible]ings of three unoccupied Negro houses the night of March 24. They also are in the disputed area.

The wife of the Rev. Curry reported Friday night that a woman told her over the phone:

"If you don't get out of there, you— —, we'll blow you out."

Meanwhile, Commissioner Morgan was preparing to hold another meeting early next week with a committee of leading white citizens. The members of the committee, whose names were not disclosed, met preparatory to the naming of a white and Negro group. This latter committee will be asked to recommend a solution to the city's zoning problems.

MR. MORGAN SAID that those at the meeting are "very hopeful of reaching a solution that will settle this situation peacefully." He said they're sure "a solution will be worked out satisfactory to all persons concerned."

The citizens committee approach has been endorsed by the directors of the Birmingham Real Estate Board. A resolution, signed by Louie Reese, Jr., club president, and John L. Braswell, exexutive vice president, offered "whole-hearted support" to the appointment of the committee.

The realtors also offered their services to the committee if desired by the group.

THE BIRMINGHAM branch of the National Association for the Advancement of Colored People Friday wired President Truman, Gov. Folsom, Commissioner Connor, Police Chief Floyd Eddins and Sheriff Holt McDowell asking for assistance. Sun. 6-5-49

The wire to Presid[illegible] Truman contended that civil [illegible]berties of white citizens are threatened. A White House aid said Saturday that the appeal had been referred to David Niles, administrative assistant who handles minority problems for Mr. Truman.

Smithfield zoning row late Saturday afternoon reported receipt of a threatening letter through the mails. Sun. 6-5-49

"If [illegible] not move out, we will send you somewhere, heaven or hell," part of the letter said.

Atty. Arthur Shores, who reprecents the Rev. Milton Curry, Jr., 1100 North Center Street, said the letter would be turned over to the FBI. It would be up to the FBI. Shores said, whether the letter would be turned over to postal authorities.

The letter was the second threat received by the Negroes in less than 24 hours. Friday night an anonymous telephone call threatening destruction of the Rev. Curry's home was received by the minister's wife. Sun. 6-5-49

Saturday [illegible]etter was not received by the Rev. Curry but by his next door neighbor, the Rev. E. B. DeYampare, 1104 North Center Street. The Curry family spent Wednesday night in the DeYampert home after moving in Wednesday over the protest of City Building Inspector H. E. Hagood.

* * *

ON THURSDAY, the Rev. DeYampert was ordered to move by City Commissioners Eugene Connor and James W. Morgan. He previously had been given several eviction notices by Inspector Hagood.

Commissioners Morgan and Connor told DeYampert that he could own the house, but could not live in it.

Following is the text of the letter, mailed Friday night in Birmingham, which the Rev. DeYampert reported receiving Saturday:

"We regret that you don't have any place to go. But we will give you a clue. If you do not move out, we will send you somewhere, heaven or hell.

"You will havqe the opportunity of deciding which place it will be. But we are of the opinion as long as you conttinue to be the cause or trouble it may not be heaven.

"You and everyone else knows you are stalling and are just making a test case of it. We will see to it that the test comes out right.

POLICE TALK WITH PRINCIPAL IN DISPUTE—The Rev. Milton Curry, Jr., pastor of the New Zion Presbyterian Church, is shown above talking with a police officer, Lt. G. T. Wilson, as he moved furniture into a home in the disputed Center Street residential section today.

Attorney Says It [illegible] Be Turned [illegible] To The FBI

Birmingham, Ala.

Negroes involved in the North

Birmingham Whites Aroused Over Blast

(38c)

Memphis Herald

BIRMINGHAM— (SNS) —Three Negro-owned houses, one belonging to the Rt. Rev. S. L. Green, bishop of the 9th Episcopal District of the AME church, were splintered early Friday by a dynamite blast, it was reliably reported. 5-29-49

The houses, located in a white residential section known as North Smithfield, were not occupied. They were recently purchased by Negroes who planned to move in soon. Property damages were estimated at $18,000.

Memphis, Tenn

H. E. Hagood, city building inspector, had planned to serve notice Friday, telling Negroes they had purchased houses in a section zoned for whites. He said Negro ownership of homes in white residential areas is illegal under the city code. However, the United States Supreme Court has ruled against zoning of property for races. Jules.

POLICE SWING IN ACTION

Meanwhile, T. Floyd Eddins, chief of the police department, has placed policemen on "around the clock" investigation of the criminal action. "We are going to get to the bottom of this thing and prosecute," Chief Eddins declared.

Commissioner Eugene "Bull" Conner assailed the bombarding of the Negro homes. 5-29-49

"Whether Negro families were right or wrong in owning those houses is of secondary importance right now," he said. "We are not going to let any individual or group take the law into their hands if we can prevent it, and our police department is going to get to the bottom of this thing if they have to work around the clock," he concluded.

ASTA CONDEMNS LAWLESSNESS

While the Birmingham branch of the NAACP was seeking action in connection with the destruction of the house bought by Negro citizens, the Alabama State Teachers Association, meeting at Parker High School, condemned the bombing in strongest of language. The teachers group representing 7,000 Alabama teachers drew up a resolution and went on record of denouncing the lawless action. Said the resolution, in part:

"The association both deplore and condemn any state of affair in which citizens are given in pretense in taking the law into their own hands for exercising their wrath or prejudice against any citizen or group of citizens. The association considers it the inescapable moral obligation of every educated person and of every official in responsible position to take positive position in behalf of fairness and equity for all rather than either by spoken word or tacit acquiescence give basis for suggestion and encouragement of violence toward any group . . .

"Many of the delegates have suffered both shock and discouragement by the bombing on the night of March 24 in the neighborhood of this meeting (Parker High School)."

The Association further called upon city, state and federal officials "for prompt and sincere discharge of their responsibility in ascertaining and bringing judicial accounting of our laws and of the associate human rights."

One Hurdle Remains—

Peaceful Solution To Zoning War Near

BY IRVING BEIMAN
News Staff Writer

A peaceful solution to the North Smithfield zoning problem is in the making.

It has only one major hurdle to clear before it can be presented to the City Commission for approval.

That hurdle is a group of Negro property owners and citizens represented by Arthur Shores, Negro attorney.

Members of the citizens' advisory committee appointed by Commissioner James W. Morgan to work out a solution to the zoning row have been hard at work for several weeks.

* * *

THEY HAVE BEEN directing their efforts at these groups:

1. The Graymont-College Hills Civic Association. That group is reportedly ready to approve the citizens' committee recommendations. But it wants a definite understanding about a "dividing line."

2. Negro and white citizens who live in the area torn by the controversy. They also are reportedly ready to give approval to the committee's recommendations.

3. The group represented by Atty. Shores. This group has not signified its approval of what the committee thinks is wisest and best.

Atty. Shores said today he could not agree to the two-block idea at that point because it would "take some of the best Negro residential property and make it into a park."

He said he thought a dividing line at First Street, West, which is one block west of Center Street, could be established because Negroes don't own property west of that point.

"The thing could be permanently settled," he said, "by not selling property to Negroes west of that point in the future."

The committee has been going at the problem with the hope of reaching an agreement between white and Negro citizens on a "dividing line." The committee wants Negro citizens of Birmingham to agree not to breach that line, not to go west of that line, once it is established.

* * *

IF THE SHORES GROUP will agree not to go west of that line, approval of the Graymont-College Hills group is considered certain.

So with those hopes in mind, the committee is ready to propose:

1. That a two-block city park, for Negroes only, be established at Center Street and 11th Avenue, North.

It would cost the city some $30,000 to purchase the property. Of course, the city fathers want assurance that this park will settle, or help settle, the problem before they put out the money for the purchase.

2. That some 35 acres northwest of Center Street and 11th Avenue, North, be zoned for Negro residential purposes. The area is now zoned white.

These 35 acres plus the 20 acres the City Commission has recently rezoned from white to Negro residential status would give Negroes building space for some 1,500 dwelling units.

The committee feels it would go far toward answering the need for more living space, at least, in the North Smithfield area.

* * *

THE CRISIS WILL COME in the next two weeks. By that time the committees recommendations will be submitted to all groups involved.

The committee believes the thing can be settled in peace and understanding.

First Of All—No Violence!

No violence. That is, no more violence.

That should be the first objective as efforts continue to work out problems having to do with white and Negro residential areas in the Smithfield section of the city.

Three bombings have occurred there, profoundly shocking the good people of this city and intensifying tensions and difficulties as well as grossly violating basic rights of the immediate victims.

It is inconceivable that such outrageous action could do anything except make already difficult and dangerous matters worse, although it may be hoped that these crimes have further aroused the forces of law, public opinion and decency against such activities.

Whatever the legal questions involved, whatever differences of viewpoint prevail as to what should be done, there is surely unanimous agreement among all good citizens that violence must be constantly, resolutely and effectively combated.

Certainly there is sufficient law to give adequate support to sincere and determined efforts to that end.

The emphasis of Commissioner Connor and all other officials should be on determination to give the utmost possible protection to all citizens against any men who seek to take the law into their own hands.

Surely the vast majority of our people who unreservedly condemn such barbaric practices as bombing are not helpless against them.

Surely our law enforcement agencies can end this intolerable menace to the well being and security of all the people of this city.

Let there be no mistake. All of us are directly concerned in this situation. It holds obvious dangers for every one of us.

It should be understood that there are very real limits to what law can accomplish in ultimate solution of the zoning problem.

Racial zoning by law has been clearly declared unconstitutional. We do not see what the City Commission can hope for in its latest steps apparently looking to a new racial zoning enactment. But, in any case, our fundamental reliance must be on the good will and the good sense of the vast majority of our citizens, both white and colored, who want to work this problem out on a fair, intelligent and peaceful basis.

If such a spirit and responsible citizenship can not achieve understanding and a broad measure of cooperation, a mere legal enactment is not likely to help much.

* * *

This situation is a challenge to the best efforts and the highest motivations of us all. No solution that is not fundamentally just with respect to the rights of all can possibly meet the need. Unless law-abiding citizens, white and colored, can work together toward that goal, realizing their common interest in preventing catastrophe, then we are bound to be in a very bad way.

The basis for such constructive efforts must be law enforcement and prevention of violence. This newspaper is glad to see that Gov. Folsom has ordered state investigators to make a thorough inquiry into the bombings. No arrests at all have been made. Obviously any help state officers can give in this connection is needed.

Racial Zoning—

(From The Selma Times-Journal)

Bills requiring Negroes and white persons to live in separate residential areas in Alabama have been introduced in the state Legislature.

Identical measures were offered by Sen. C. J. Owens, of Marshall County, and Rep. Pugh Haynes, of Lowndes. They followed the recommendations made recently by Police Commissioner Eugene Connor of Birmingham, where there has been trouble and violence over Negro attempts to move into white residential districts.

The bills would make it illegal for members of either race to live in an area "generally and historically recognized" as restricted to members of the opposite race. Under the bills no Negro or white person could live in the other's residential district more than 24 hours.

Violation would be punished by a fine of $1,000 or 12 months in jail or both.

"It has been the invariable custom universally observed to require white and colored residents to live in separate residential areas in Alabama since the state was first settled, the measures declare.

When attempts have been made to violate this tradition, the legislation continues, they have resulted in violence and destruction of property.

Further, the bills predict that future attempts to mix the races in the same residential areas will bring about more trouble.

* * *

While the intent of these bills is sound, there would be a great deal of difficulty in enforcing their provisions, as the Times-Journal, a staunch advocate of segregation, can testify.

In Selma, for instance, there are numerous instances where white and Negro residential areas overlap and it would be almost impossible to establish zoning lines. This came about because our white and Negro citizens are accustomed to living in harmony under segregation restrictions even while residing door to door, and the constructive citizens of both races make the best of conditions without trying to exploit the haphazard method by which the city has expanded.

To attempt to apply state laws to this kind of situation, we fear, would be asking for unnecessary trouble, and it would be the better part of wisdom for the Alabama Legislature to leave racial zoning problems to the various communities as their needs demand.

From Where I Stand

Living Space Must Be Zoned Promptly For Negro Citizens

BY VULCAN

SO FAR as you and I are concerned Birmingham's zoning problem is not one of politics, racial prejudice, radicalism, or pressure groups.

VULCAN

What you and I want to see is a fair solution to a problem that has been made touchy by home-grown and imported trouble-makers.

Birmingham's Negro population is squeezed into small areas that need to be enlarged.

You and I must see that adequate housing space is set aside for Negro residences. That will take care of the acute and very real immediate physical problem.

No matter what else is done the pressure will not ease until sufficient room is allotted the Negro population.

I think this is one phase of the over-all question that all concerned can agree on.

Let's get this done regardless of other factors that may be brought into the matter. Let's not let other questions get tangled up in it.

One 'Solution' Accepted—

Zoning Dispute To Be Aired At Public Hearing Sept. 6

The North Smithfield zoning dispute will be aired at a Sept. 6 public hearing.

The city yesterday set that date to hear the pros and cons on one of three proposals for rezoning the area. Two others were dropped by the City Commission.

The hearing will be on recommendations of the Graymont-College Hills Civic Association. They call for establishment of a 150-foot buffer strip along the east side of Center Street, and the rezoning for Negroes of the area north of 11th Court, North, and west of Center Street.

The commission immediately killed the more liberal recommendations of a Citizens' Committee appointed by Commissioner James W. Morgan.

And boundary lines drawn up by the City Zoning Board were sent back to that organization for filing The zoning board had recommended that the boundary line for Negroes be moved across Center Street.

* * *

AFTER REJECTING all but the civic association's proposals, Commissioners Morgan and Eugene (Bull) Connor rapped the National Association for Advancement of Colored People.

Both waved telegrams they had received from that group. The telegrams said the civic association's boundaries are "unacceptable" and said the N. A. A. C. P. will fight all types of segregation zoning.

Commissioner Morgan said, "I want it distinctly understood that I will not agree to break down our segregation law." He said the N. A. A. C. P. is doing everything in its power "to prevent a peaceful solution to this problem."

The North Smithfield zoning problem was made more acute last Friday night when two sticks of dynamite were tossed at the homes of two Negro ministers.

* * *

GOV. JAMES E. FOLSOM yesterday told Birmingham Negro Atty. Arthur Shores he would study the bombings to see if some action can be taken.

Shores met with the governor briefly yesterday morning. Shores has asked for action to stop "terrorism" in the zoning dispute.

A Negro mass meeting will be held tonight on the lawn of Smithfield Court. It is set for 7:30 p.m. Posters announcing the meeting say the bombings will be discussed.

Horace Moore, 18-year-old Negro, 320 1165 Court, North, was fined officer immediately after the dynamite sticks were tossed Friday night.

MOORE WAS TRIED at Recorder's Court last night. Shores represented Moore and said he would not appeal the case.

Officers said Moore was arrested because he refused to "move on" when police were attempting to clear a path for traffic through a crowd of Negroes looking at the bombed homes.

Ban Placed On Moving In, Out Disputed Areas

Connor Sponsors Ordinance With Teeth, Wins Okeh

An emergency city law passed today bans white persons from moving into Negro areas, and vice versa.

The ordinance was a surprise move introduced by Commissioner Eugene Connor. He said it was designed to prevent violence.

In arguing for its passage, Connor told other commissioners, "We're going to have bloodshed in this town as sure as you're sitting here unless something is done."

Under terms of the new law, a white person or Negro who moves into an area normally reserved for the other race can be fined $100 and sentenced to 180 days in jail.

* * *

COMMISSIONER CONNOR said the law was prepared "by some of the best legal minds in the state" and was given him only this morning.

City attorneys told the commission the ordinance was news to them.

Connor's ordinance says, in part: "From the date of the original settlement of this city until the present time it has been the invariable custom supported for most of that time by municipal law and universally observed, to require white and colored residents to live in separate residential areas.

"That when attempts have been made by members of one race to enter for purposes of a permanent residence into an area commonly recognized as set aside for members of the other race, violence, disturbances of the peace, destruction of property and life has resulted almost without exception."

Mr. Connor said he will seek a statewide version of the new city law.

"I will be in Montgomery Thursday," he said, "and will try to have this matter put before the State Legislature."

Mr. Connor said the new law will not affect persons who already live in "questionable areas."

The ordinance says the commission finds "public sentiment in this city" is that any integration of races will result in "breaches of the peace, riots, destruction of property and life."

* * *

THE ORDINANCE says it is impossible for police to assure the safety of a person attempting to move into a residence "not commonly recognized as an area to be occupied" by members of his race.

It says further that the city's zoning ordinances delineate those areas historically and generally regarded as available for residences and occupation by members of the white and colored races.

The hot North Smithfield zoning dispute kept popping into the conversation about the new law.

* * *

COMMISSIONER CONNOR read a 1923 newspaper account of zoning trouble in the North Smithfield area and he despaired of any settlement today on the question.

He said Arthur Shores, Negro attorney and real estate man, "will see to it there is no settlement."

"It is impossible to compromise with Shores, who is putting money above his race," Mr. Connor said.

He said "this law was drawn up by some of the state's best legal minds and they tell me it will hold up before the Supreme Court of the United States.

"They will take it there at no charge if necessary. I tell you we're going to have bloodshed in this town as sure as you're sitting here. The white people are not going to stand for it.

"Pass this law and the first one who moves in, white or Negro, I guarantee you Connor's men will put him in the jug."

MR. CONNOR didn't identify who "the best legal minds" were.

Commissioner James W. Morgan told Mr. Connor, "I'm in favor of this. The only thing is, where are those Negroes going to live and build. Almost 50 per cent of our people are colored. So much of our area is zoned for white.

"I'm not in favor of them moving in with us, but where are they going?"

MR. CONNOR SAID, "we'll just have to zone more property for them. This ordinance is only trying to keep them from moving in with us."

Mr. Morgan said a citizens' committee has been working for sometime with white and Negro groups in an attempt to iron out the North Smithfield zoning dispute.

"We've several other Negro zoning problems, too," he said, "and we're hopeful of an agreement on all of them."

Mr. Connor then broke in to say, "It's the impression all over town that we've got no law on this matter of zoning. We've got to show that we have something. My policemen are called all the time to Graymont to chase Negroes off land there.

"They are going to surround Birmingham-Southern if we don't do something right now."

Tom Huey, assistant city attorney, said neither he nor City Atty. J. H. Willis had seen the ordinance before it was brought up today.

* * *

Suit Filed On Zoning Status Of Three Lots

North Smithfield, focal point of a zoning dispute for the past several months, was back in the news today—by way of Circuit Court.

Verdine Nalls, Negro, filed a suit in Circuit Court asking $25,000 damages of Hollis & Shores Realty Company for allegedly misrepresenting the zoning status of three lots she purchased in the North Smithfield area last March.

* * *

THE WOMAN declared the Negro real estate firm "solicited" her last March 9 to sell her Lots 9, 10 and 11 fronting on the east side of Center Street.

She said the firm "represented" to her that the lots were zoned for Negro residential purposes.

She said she bought the lots and then applied to the city for a building permit. The city refused to issue her a building permit on the ground that the property was zoned for white residential purposes, the woman stated in the suit.

SHE SAID SHE had hired a surveyor, a draftsman and architect and had contracted to build the house before applying for a building permit.

The suit was filed for her by Attys. Andrew Griffin, Finis St. John and Wade H. Morton.

Commissioners Warned Of Peril In Zoning Laws

Danger Of Contempt Of U. S. Court Pointed Out By City Attorney

City commissioners were warned today they might be liable to "criminal prosecution" in the future if the city zoning laws are declared unconstitutional in a class action suit.

City Atty. J. H. Willis said that if the commission continues to enforce such ordinances after Supreme Court action, its members could be charged with contempt of court.

The penalty might be a maximum fine of $3,000 and as much as one year and one day in prison.

Mr. Willis' warning came as a group of white residents of the North Smithfield area appeared at today's commission session.

The group asked support in defeating a law pending before the Legislature. The law, offered by Commissioner James W. Morgan, would change present laws which require a unanimous vote of city commissioners in certain zoning cases. They asked commissioners to keep the present statute.

* * *

MR. MORGAN SAID THE CITY has been operating under "illegal segregation and zoning laws for 12 years." He revealed that a building permit had been refused a Negro who wanted to build in the disputed North Smithfield area. He said the Negro will take the case to Federal Court.

"We will lose the case," Mr. Morgan said, "and there is nothing we can do about it."

He pointed out that a citizens committee is trying to work out a "peaceable solution" to the zoning problem in North Smithfield. The visitors, mainly from the Graymont-College Hills section, apparently felt the city should take the matter to court.

* * *

THEY WERE BACKED UP on that stand by Commissioner Eugene Connor. He said, "I would take every case to court."

That's when City Atty. Willis warned the commission about the possible effect of a "class action" suit.

(A class action suit is one in which a ruling on a single case applies to all other similar cases. Thus, if the Negro mentioned by Morgan took the case to court in a class action suit and won—the ruling would apply to all of the city's zoning ordinances.)

Mayor Cooper Green pointed out that taking the cases to court might cause a statewide shakedown of the zoning laws.

Patience And Calm Essential

Yesterday the City Commission set a public hearing Sept. 6 on recommendations advanced by the Graymont-College Hills Civic Association. Under this proposal a tract of some 15 to 20 acres west of Center Street and north of 11th Court, North, would be zoned for Negroes. It also would provide a 150-foot buffer strip east of Center Street.

This proposal recognizes the clear and urgent need to make available more space for Negro homes. But whether it will provide a satisfactory solution to the problem of white and Negro residential areas in the Smithfield section of the city.

It is very plainly evident that continued patience, calm and restraint are needed on all sides in dealing with the still unsolved problems in the Smithfield area.

seems very doubtful.

Some Negroes indicated strong opposition to any such plan.

Still overshadowing the whole situation are Federal Court rulings against racial zoning by law.

In view of those rulings it has seemed to this paper that the highest hope of a satisfactory solution lay in seeking a generally acceptable agreement respecting white and Negro residential space—a voluntary understanding and program aimed at preventing tension and trouble and meeting pressing needs. We still are of that opinion.

It is apparent that some Negro leaders will continue to fight to the limit any efforts to enforce racial zoning by ordinance.

* * *

Before the City Commission yesterday were other proposals.

A citizens committee named by Commissioner Morgan which for many weeks has been working on the problem proposed to make Center Street the dividing line and to rezone an area north of 11th Avenue, North, for Negroes. Mr. Morgan introduced that plan as a substitute for that of the Graymont-College Hills Association but Mayor Green and Commissioner Connor did not accept it.

The City Zoning Board suggested that the dividing line be fixed 150 feet west of Center Street and that the area north of 11th Avenue, North, be rezoned for Negroes. The Zoning Board recommended this plan by a 2 to 1 vote at a special meeting Monday afternoon. The City Commission deferred this proposal yesterday morning for possible future hearings.

Asked in a discussion with other city officials Monday what solution he would propose, City Atty. Willis said that personally he believed the wisest thing to do was to "go west of Center Street to the line the Negroes want and guarantee they will keep."

* * *

In official utterance and action, more of the spirit of frankness, coupled with realistic reasoning, exemplified by Mr. Willis in this discussion, would be most helpful in the situation.

* * *

It may be seen that nothing like a general agreement on this complex and delicate issue yet has been developed. But efforts must be continued to find a constructive answer. That will be forthcoming only if realities are faced and dealt with on all sides in a spirit that recognizes the gravity of the whole matter and seeks a just and constructive solution in the common interest.

In the meantime, restraint on the part of all and the utmost efforts to prevent violence remain imperative.

Alabama Press

Racial Trouble In Birmingham

(From The Huntsville Times)

Birmingham has a serious color problem. It contains a lot of potential dynamite.

The facts appear to be that while the population of the city is almost 50-50 as between whites and Negroes, only a very small area is left for the latter, mainly on the west side. They are bulging out of this restricted area. This produces racial conflicts, especially between the fringe elements of both races.

Nothing will be accomplished by throwing bombs, or by riots between the two races. They merely intensify racial feeling and prejudices.

In view of the fact that numerous whites have sold out to Negroes, some kind of compromise that will give the latter more living space, and that will separate the two races, seems the only way to prevent future clashes.

But any way the Birmingham City Commission goes, it has to deal with a thorny problem that may produce more trouble.

Cooperation The Hope

Assurance of the prevention of violence is the urgent need in dealing with the problems and tensions in the Smithfield area and wherever such conditions may be presented in Birmingham in connection with white and colored residential areas. It would be intolerable for the city to be, or to appear to be, ineffective with respect to putting a stop to bombing outrages such as have now occurred three times in the Smithfield section.

Last week the City Commission passed an ordinance forbidding Negro citizens from moving into established white residential areas and white citizens from moving into Negro areas. The ordinance set forth that such action was necessary to insure the peace. It was presented by Police Commissioner Connor, without prior public notice, and evidently came as a surprise to other city officials. However it was passed at once as an emergency measure.

Whether such an ordinance would stand up under a court test is, of course, a question.

It seemed unwise to us for the commissioners to proclaim that they feared violence could not be prevented unless such an ordinance was passed. That declaration could hardly have a restraining effect on men disposed to violence. Were they not, on the contrary, likely to feel that effective steps were not assured against them? The emphasis would much better have been on an expression of determination to combat such activities to the uttermost.

Of course even the most intensive and sincere efforts to that end might not altogether wipe out such crimes. But a resolute and positive attitude can do much to end them. A declaration of dependence on an untested and questionable ordinance seems more likely to be handicapping rather than helpful.

* * *

This ordinance was passed just when there were reports indicating some hope of progress toward an understanding on the Smithfield problem. Efforts along this line hold the major promise of constructive steps in dealing with such issues.

Court decisions have held that zoning based on color is invalid. No solution by such zoning ordinance seems possible..

The ordinance adopted by the City Commission last week is of dubious value.

Other Southern cities evidently rely largely on understanding and voluntary cooperation rather than legal compulsions in dealing with such matters.

* * *

Bills patterned after the ordinance passed in Birmingham last week were introduced promptly in the Legislature.

The Times-Journal, of Selma, comments as "a staunch advocate of segregation" that while the intent of the bills is sound, there would be great difficulty in enforcing their provisions.

"In Selma, for instance," The Times-Journal continues, "there are numerous instances where white and Negro residential areas overlap and it would be almost impossible to establish zoning lines. This came about because our white and Negro citizens are accustomed to living in harmony under segregation restrictions even while residing door to door, and the constructive citizens of both races make the best of conditions without trying to exploit the haphazard method by which the city was expanded.

"To attempt to apply state laws to this kind of situation, we fear, would be asking for unnecessary trouble, and it would be the better part of wisdom for the Alabama Legislature to leave racial zoning problems to the various communities as their needs demand."

Similar difficulties to those suggested for Selma would, we believe, develop in many Alabama communities if enforcement of a state segregation law of this kind were attempted. Moreover, the validity of such a law has not yet been established.

* * *

Constructive cooperation, declares *The Selma Times-Journal*, has contributed to racial harmony in that city. That should be the basic objective in Birmingham. We earnestly hope endeavors of that nature will continue to be pressed here. The city is deeply indebted to those citizens and officials who have pressed such efforts despite great difficulties and discouragements.

Segregation Zoning Bill Fails To Get Out Of House Committee

MONTGOMERY, Ala., Aug. 17—(AP)—A bill to make Negroes and whites live in separate residential areas in Alabama failed to get out of the House judiciary committee today.

Committee members discussed it briefly but took no action because the author, Rep. Pugh Haynes of Lowndes, was not present.

The bill came up when Chairman E. L. Roberts of Etowah pulled it out of the hopper and asked if the committee wanted to do anything about it.

The measure would make it a misdemeanor for Negroes to live in residential areas recognized as set apart for white people and for white people to reside in Negro districts. Violation would be punishable by a $1,000 fine or a year in jail or both.

* * *

A COMPANION BILL has already been approved by the Senate committee on municipalities

Judge Bailes sent him back to jail early this month on grounds he had not purged himself of the original contempt. He also ordered Morris' bond forfeited.

Morris had been released several days previously on a promise to try to get a list of the Klan membership in Jefferson County.

The state argued today that there was nothing new in Morris' case for the Supreme Court to review.

Assistant Atty. Gen. Hardin said no new contempt charges have been filed and that the Supreme Court has already expressed itself on the order under which Morris was sentenced.

* * *

HARDIN SAID THE sole question before the Circuit Court was whether Morris had been able to purge himself of contempt and if he had so done. He said the lower court held that Morris, a 44-year-old contractor could have purged himself but had not and therefore sent him back to jail.

Justice Thomas S. Lawson, one of those who dissented from the court's opinion last month, asked Locke several times if he did not feel he had better remedy through an appeal of the lower court's order forfeiting the bond.

Several other judges joined him in quizzing the defense attorney on this point.

North Smithfield Zoning Row May Be Taken To Court

City Attorney Says Suit Is Considered; Committee Meets

The North Smithfield zoning problem today appeared headed for the courts.

City Atty. J. H. Willis said a "suit is being considered."

It may be headed off by a meeting of the special zoning committee with Negro leaders late today.

The city attorney would not elaborate on the possibility of a suit in connection with Negro occupancy of white-zoned houses on Center Street.

* * *

BUT IT WAS LEARNED that the legal staff is working toward an injunction that would force the Negro families to move. The suit would go to Circuit Court.

Commission President Green said that the "matter has been turned over to the legal department. We told them to take the best legal route."

City Building Inspector H. E. Hagood, in a conference with the mayor and attorneys Saturday, asked that something "positive" be done.

Mr. Hagood is charged with enforcing the city's zoning laws. He has not been told to make any arrests.

There is nothing more he can do.

OFFICIALS HOPE the meeting today will bring about a more satisfactory way of settling the disturbance which has been a headache for the past several years.

The committee also will hear a report on how the City of Atlanta handles zoning matters.

* * *

IN A REPORT to Public Improvements Commissioner James W. Morgan, Mr. Byrum today pointed out that the city of Atlanta has no ordinance regulating segregation by zoning.

He said the problem has been met by strict adherence by real estate salesmen to the code of ethics of the Atlanta Real Estate Board, by rules and regulations of the State Real Estate Board, by cooperations of lawyers who file deeds and by committees of whites and Negroes who settle "spot" situations.

Mr. Byrum said when committees find that "position of the white owners is determined untenable" the real estate companies begin taking listings for sale of property in that area to Negroes.

In short, he added, the whites simply move out.

Several Negro families are occupying houses on white-zoned Center Street. This has been a sore spot for several years.

The City Commission has passed an ordinance creating a 150-foot buffer strip to separate the white and the Negro zones. This is apparently illegal.

WHITES AND NEGROES were unwilling to accept it, and the city began looking for a better way to satisfy both races.

That was the business of the committee today. Members were appointed by Commissioner Morgan.

Latest Negro to move onto Center Street is Edward Castor. He moved his family into the house at 948 Center Street last Saturday.

B'ham Segregation Called Illegal

BIRMINGHAM, Ala., Aug. 2. —(AP)—Birmingham has been operating under "illegal segregation and zoning laws for 12 years," a city commissioner asserted today.

Commissioner James W. Morgan made the statement at a council meeting attended by a white delegation from the North Smithfield section.

White and Negro residential sections adjoin in North Smithfield.

Morgan said today that city authorities refused to grant a building permit to a Negro who wanted to build in the section.

City Attorney J. H. Willis said that "if the city loses the case under a 'class ruling,' which is likely, we will be unable to take any restrictive action in zoning or segregation cases. If action were taken after such a ruling, the city commissioners would be subject to criminal prosecution."

Judge Rules City Must Issue Building Permit To Negro In Smithfield

A permit for a Negro woman to build a house in the disputed area of Smithfield must be issued by city officials or these officials must appear in court on Aug. 22, and show cause why they have refused.

Circuit Judge J. Edgar Bowron issued an alternative writ of mandamus against Commissioner James W. Morgan and Building Inspector H. E. Hagood.

The writ was asked by Mary Means Monk. The woman asserted in her petition Hagood had at first told her it would be all right for her to begin building.

She said later she applied for the permit again and was refused.

By the time of the second application, she said, she had contracted for the building of the house. Excavations for the foundation had been finished and large sums of money spent, she said.

* * *

THE NORTH Smithfield section has been the scene of three bombings this year. The three Negro house were wrecked by dynamite blasts last March. No arrests have yet been made.

Last week three sticks of dynamite were found near the house of a Negro preacher who lives within half a block of the bombing scene.

In the area under dispute, Negro and white homes are close together. The city has set up a buffer area zoned for business. The legality of this ordinance has been questioned.

Commissioner Morgan said the city would resist the court action. He called the mandamus action "regrettable."

"We have refused to issue the permit," Morgan said. "Because the area is zoned for white residence. Until that is changed we will do all we can to keep to the letter of the ordinance."

A citizens committee has been trying for months to work out a satisfactory solution to the zoning problem.

Property Owners Fight Ghettos

Birmingham Ordinance Held Unconstitutional

COMPROMISE

Buffer Park Proposal Opposed by Citizens

BIRMINGHAM, Ala.—(NNPA) —Colored property owners here have dug in for an adamant stand in opposition to Birmingham's "illegal and unconstitutional" residential racial zoning ordinances.

In Washington, on July 8, the Justice Department hinted that a Federal Grand Jury would be asked to look into the March 25 bombings in which three colored homes, all unoccupied, were dynamited.

In Birmingham, white people were bidding on lots owned by colored persons in the "disputed Smithfield area," so the Birmingham Property Owners Association met last Sunday at Smithfield Court to fortify its position.

'Peaceful Solution'

City Hall said last week that the "peaceful solution" outside of the law suggested by an all-white citizens advisory committee had to be delayed until Aug. 1. Reason assigned for the delay is that some key figures would be on vacation and on Army duty until that time.

The proposal, designed to give the gloss of legality to Birmingham's "illegal and unconstitutional," racial zoning law, is to be a two-block "colored buffer park" and to "rezone" an area from "white" to "colored" residential zone.

It was learned from excellent sources that C. J. Greene, insurance man; A. G. Gaston, business man; C. W. Hayes, educator; Mrs. Ruth J. Jackson, beauty school operator; the Rev. H. B. Gibson, pastor of St. Paul Methodist Church; the Rev. J. L. Ware, pastor of Trinity Baptist Church; Robert L. Williams, cafe owner, and Mrs. L. S. Gaillard, plumber, were asked to serve on the jim-crow buffer park compromise committee.

To Stand By Court

Those interviewed said that they knew nothing of any such committee. In every instance the contacted persons said that they would "stand on the law as interpreted by the courts." The Rev. Mr. Ware is vice-president of the Birmingham NAACP and president of the Birmingham Baptist Ministers' Conference.

Both organizations are on record in opposition to the "buffer compromise."

In his semi-annual report July 7, to the membership meeting of the NAACP, Emory O. Jackson, branch secretary, praised the court decision knocking out Birmingham's racial zoning laws.

He said that "these decisions alone justify continuous mass support of the NAACP." "We shall fight in the courts, in the pulpit, in the press, everywhere any attempt to stifle or compromise this great victory," he said.

Members of the Birmingham Protective Property Owners Association, headed by Robert F. Coar, have stood unmoveable in opposition to the various proposed schemes that would nullify the Federal Court decisions rendering racial zoning laws illegal and restrictive covenants unforceable.

Negro Woman Withdraws Bid In Zoning Case

A Negro woman today dropped her court suit to force the city of Birmingham to give her a permit to build a house in an area zoned for whites only.

Mary Means Monk had filed a petition for mandamus. She wanted to build in North Smithfield.

The suit was dropped after it was brought out that in previous cases the Circuit Court had held that certain prescribed routes of appeal other than mandamus, must be followed.

Her attorney, Arthur Shores, dropped the petition in the middle of a hearing before Circuit Judge Edgar Brown today.

The dismissal was without prejudice and was agreed to by Judge Bowron. This means the petition may be brought up again for hearing.

In a hearing before Circuit Judge Edgar Bowron, Asst. City Atty. Tom Huey argued the city is given zoning rights by state law as well as city ordinance.

In her petition, the woman stated she had expended large sums of money in preparing to build her home and the city had then denied a building permit.

Huey quoted from a state law which he said gives the city the right to zone to preserve peace or in the public welfare.

He said this law has not been held unconstitutional and that the

Razed Radio Tower—

Hearing Arranged On Rezoning Plea

A City Commission hearing is slated for Aug. 23 on the rezoning of property where the WEDR radio tower was destroyed last Thursday night.

The tower collapsed when an unknown person cut one of its guy

Shores said the petition be dismissed because it would not admit of its unconstitutionality.

Huey asked the petition be dismissed also on the grounds the woman had not sought the proper remedy. The city attorney said the proper remedy was an appeal to Circuit Court after certain other prescribed steps had been completed.

* * *

ARTHUR SHORES, attorney for the complainant, said the law does not force a person to do a vain and foolish thing."

wires. It is located southwest of Elmwood Cemetery.

George R Byrum, Jr., chairman of the City Zoning Board, said an application for rezoning of the section was presented the board last Thursday. The application asked that the property be changed from A-1 residential to commercial.

City Building Inspector H. E. Hagood said Saturday after the tower was destroyed that no permit for its construction had been given by his office.

City Commission—

Commission Considers Zoning Areas Near Two Cemeteries

Land near two cemeteries was the subject of zoning issues at the City Commission today.

The approval of one change concerned the construction of the Magic City Broadcasting Company radio tower near Elmwood Cemetery.

Negro residents near Oakland Cemetery protested a re-zoning of their neighborhood to permit a "barbeque stand." The home owners said they preferred their peace and quite.

The planning board had approved the changing of the property from residential to commercial. The land to be rezoned was a block west of the intersection of Warrior Road and Pike Road.

The commission voted two to one to uphold the board's action. Commissioner Eugene Connor stated that his negative vote would mean the re-zoning was defeated under certain conditions of the law.

THE ZONING BOARD has two weeks in which to check to see if those conditions exist.

Commissioner Connor said he wished all citizens would pay as much attention to the zoning lines as residents who spoke today.

Attorney Tom Smiley represented Will Smith, who wished to open a confectionery, in the neighborhood.

There were no protests voiced to re-zoning of the land for the radio tower. The property was changed from residential to commercial.

Construction of the radio tower was delayed recently when the tower was knocked to the ground. Police are investigating the incident.

From Where I Stand

We Cannot Bomb Our Zoning Troubles Into A Settlement

BY VULCAN

YOU CAN'T bomb troubles away. Not with hate, not with dynamite.

You can't settle problems that way.

The North Smithfield zoning squabble has grown into a tragic, bitter feud that can only breed hatred, fear, suspicion and misunderstanding—if unchecked.

I don't care what the underlying causes, I don't care what the aggravation, I don't care what the excuses, you can't afford to let this Smithfield bombing of Negro houses pass without bringing the criminals to justice.

VULCAN

This is more than a group of men using violence to try to enforce their own judgment.

It is almost murder.

If public conscience cannot be shocked to the point of demanding an end to the North Smithfield zoning dispute — and demanding the dynamiters be found, arrested and convicted, I will be disapointed in the community I love.

Cooper Green, Jimmy Morgan and Bull Connor cannot escape the consequences of making the hard decisions of wisdom.

I happen to know a group of conscientious Birmingham citizens have worked hard and long trying to work out a solution to Birmingham's difficult and touchy zoning problem.

They approached the solution from the point of view Birmingham must settle the differences by a well-thought-out policy of mutual segregation.

And that eventually will be the only way you will see it worked out.

It is never too late for men of good will to start all over again.

THE BLASTS WERE heard in almost every portion of Birmingham. More than 100 calls were made to the switchboard of The Birmingham News-Age-Herald, asking about the cause of the explosion.

Hundreds of persons went to the area and looked at the homes. Police kept auto traffic moving, but two hours after the dynamiting there still was a large crowd of Negroes gazing silently at the shattered house.

The homes are at 1100 and 1104 North Center Street. Both have been in the news before. A Negro who attempted to move into the house at 1100 was warned off by a city employe who posed as an officer of the Robert E. Lee Ku Klux Klan. The Negro left after being told that both homes are in an area zoned for white residence only.

Later the Rev. Milton Curry, Negro Presbyterian pastor, moved in with his wife. The city ordered him to move out, but he refused. The family of B. W. Henderson moved in also, and was in the house Friday night.

The adjoining house is occupied by the family of the Rev. E. B. DeYampert.

The Rev. DeYampert said three or four Negroes fired with pistols and shotguns at a speeding automobile from which the dynamite sticks were thrown. The shots might have struck the car, he said.

There were 18 Negroes at the homes at the time. None was injured.

* * *

'More Angry'

THE NEGRO MINISTERS said they were "more angry than frightened." And, they said, they intend to stay where they are.

The houses are a half block from three others that were heavily damaged by dynamite March 24.

Police Chief C. Floyd Eddins said four detectives have been assigned to the case. They are Paul McMahan, H. G. Cain, A. H. Cook and J. W. Henson. McMahan quizzed witnesses at the scene last night. He is working on the March bombings.

The Rev. DeYampert said persons on his porch could clearly see an unmasked white man light the fuses on the dynamite sticks, lean out a door and throw them.

One bomb fell on the lawn about 20 feet from the front porch of the Rev. Milton Curry's house. It dug a two-foot crater. The other, apparently tossed after the car turned off Center Street onto 11th Court West, exploded in the gutter. It shattered the curbstone at the point.

* * *

'Tipped Of Trouble'

THE REV. DeYAMPERT said he was seated on the porch with seven other Negroes. They came to his house, he said, after he had been tipped by Henderson there might be trouble.

B. V. Henderson said that at 10 p.m. he trailed a car that stopped briefly in front of the Curry home. He said the car went to a rendezvous at Center Street and Eighth Avenue, where several other cars were parked.

He was not able to get tag numbers, Henderson said, so he returned and warned the Rev. DeYampert. He did not notify police, he said, because he was afraid the phone in the Rev. DeYampert's home was tapped.

The Friday night bombing was the second important development the past week in the zoning question.

Tuesday the City Commission adopted a new zoning ordinance barring Negroes from moving into white areas, and whites from occupying houses in Negro sections.

* * *

Law Bars Moving

THE LAW, introduced by Connor and adopted unanimously, says that neither whites nor Negroes could move into an area "generally and historically" regarded as set aside for members of the other race.

It provides a fine of up to $100 and 180 days in jail on conviction.

A similar bill has been introduced in both houses of the state Legislature.

Morgan said, in a prepared statement:

"Another incident of bombing of two houses occupied by Negroes in an area zoned for white people has happened. I had hoped that action such as occurred last night would never happen again in Birmingham.

"Numerous meetings have been held by the committee appointed by me, and a careful study has been made in the affected area.

"The committee has about completed its work, with the exception of getting all parties concerned together to reconcile any differences that might exist.

"I understand the Graymont Club met the first of the week and prepared a resolution. I have not received a copy of this.

* * *

Not An Easy Task

"IT IS PRETTY well understood throughout the city that some land should be made available to our colored citizens to construct homes.

"This is agreed on by everyone.

"It is not an easy task to satisfy everyone on matters of zoning. The purpose of our committee is to follow a plan that has proven effective in Atlanta and Little Rock. This plan is to get a group of representative Negro and white citizens together and work out an agreement.

"We do not know how effective this would be, but we are hopeful that with the support that would come from these meetings, the agreements reached would not be violated.

"Vacation periods have slowed work down some. Therefore, I am appealing to everyone to give us the opportunity to peacefully settle any zoning disputes and forestall further conflict such as occurred last night. We asked that efforts to move into areas by either race, not properly zoned for them, be stopped.

Fortunately, Birmingham has had disorder such as has occurred in other sections of the U. S., and we sincerely want peaceful and happy relations to continue as they have in the past. I think the races here understand one another and have a desire to be of assistance in problems like this. We can and must continue in this atmosphere with calm thinking and mutual cooperation.

* * *

'Didn't Cooperate'

"I HOPE IT WILL BE possible today to discuss this matter with Mr. Green and Mr. Connor and get their consent to go forward with the re-zoning of certain areas as quickly as possible."

Mr. Connor said the dynamiting could have been prevented if the ministers had cooperated with police. Connor said he had learned from Birmingham Police Chief Floyd Eddins that the Negroes had a tip trouble was expected and didn't inform police.

* * *

'Should Have Called Police'

CONNOR SAID FROM information he had gathered in a telephone conversation with Eddins the Negroes had "tried to take the law into their own hands."

"They (the Negroes) had a tip from a Negro that something was going to happen last night," Connor said.

"Instead of calling the police they called in their neighbors. I understand they had shotguns and pistols and were waiting for them when the dynamiters came around.

"That is what the Police Department is for—to enforce the law. They should have called as soon as they had any information that something was happening on the hill and it could have been prevented.

"We have got to have the cooperation of the people 100 per cent if we are to preserve peace."

Police Patrol Area

Birmingham police patrolled the North Smithfield area throughout the night Saturday.

Police Chief Floyd Eddins assigned a patrol car to all-night duty on instruction from Police Commissioner Eugene Connor as a "preventive" measure. Commissioner Connor was in Mobile attending the Alabama Bar Association convention.

Call To Wisdom And Good Will

Some things stand out very plainly in the controversy over white-Negro residential zoning in Birmingham. It is apparent that there is no easy, simple solution to the problem, that it involves fundamental human needs and deep feelings, that all-around good will, restraint and wisdom are required for constructive dealing with it.

Some of the basic facts are plain.

Mutually constructive racial relations unquestionably would not be promoted by indiscriminate mingling of white and Negro families in residential areas. The setting up by Negroes of homes in established white neighborhoods obviously would make for serious trouble.

But, on the other hand, the right of Negroes to acceptable homesites is fundamental and a growing shortage of such sites appears to be one of the major underlying factors in the present situation.

Moreover, federal court decisions indicate, in our opinion, that zoning ordinances based on color will not stand the test of legality.

* * *

The Birmingham City Commission, however, is still faced with the pressing problem of establishing arrangements that will serve all the needs of the situation. It must seek to abate tensions and prevent conflicts. It must strive to protect the legitimate interests of all. It must seek justice for all.

We recognize the difficulty and delicacy of the questions and responsibilities facing the commissioners. We believe they are making an earnest and conscientious effort to deal with the matter constructively and fairly. It is to be hoped that they can work out plans and procedures that will be acceptable to the great majority of both races.

Commission President Green, in commenting on an ordinance to establish a "buffer" commercial zone and set up certain racial restrictions on occupancy of a number of residential lots, indicated that he realized that the legality of the measure is doubtful. He remarked, in effect, that law does not always meet human situations exactly.

Of course that is true. And sometimes the law is stretched with the highest of motives. Sometimes the results may be good. That seems to be the purpose in this instance.

We hope that somehow a constructive program can be evolved. But whether procedure along lines of highly doubtful legality can contribute to that end in this case remains to be seen. If there follows an extended series of enforcement steps, legal challenges and test cases, tensions and troubles may be increased.

* * *

This newspaper fervently hopes that all concerned—and that means all of us—will steadfastly strive to avoid doing anything that will make a complex situation even more difficult.

We hope no moves will be made to break down arbitrarily arrangements that have prevailed and that originate in good faith to prevent racial trouble over residential areas.

We hope that the urgency of making more desirable homesites available for Negroes will be recognized and that action to that end will be pressed.

Certainly, all the people of this community and their officials are facing the obligation to act with the highest wisdom of which they are capable.

Good will is urgently needed on the part of all.

Fundamental human rights should be recognized—justice should be served.

Resolute efforts must be made to promote understanding, cooperation and mutual consideration. They can, we believe, lead toward arrangements as acceptable as can be hoped for in a complex problem for which no solution is conceivable that would fully satisfy all.

Buffer Zone Void Under City Code, Check Reveals

City Must Start All Over Again In North Smithfield Dispute

There is no "buffer area" in North Smithfield despite action of the City Commission last week.

This was disclosed today by a check of the city code. The case calls for a unanimous vote by the City Commission to change any zoning when 20 per cent of the property owners involved protest the move.

Last week's City Commission vote to create a 50-foot buffer area in North Smithfield was carried two-to-one. Mayor Green and Commissioner James W. Morgan voted in favor of the buffer area, but Commissioner Eugene (Bull) Connor voted against it.

However, the city had on file protests from more than 140 Negroes who own property involved. They represent far above the needed 20 per cent to void last week's action.

THUS THE CITY will have to start all over again to create a buffer area between Negroes and whites.

Anyway the buffer area was due for further study because the commisison inadvertently set up the buffer strip between two white zones instead of between white and Negro zones as intended.

This is what the city code and the state law says in regard to changing any zoning ordinance boundaries:

"In case of a protest against such a change, signed by owners of 20 per cent or more of the lots included . . . are of those immediately adjacent in the rear thereof extending 500 feet . . . such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Commission."

* * *

BIRMINGHAM HAS ONLY three city commissioners. It has been ruled in order to pass an ordinance for such a change the commission must vote unanimously in favor of it.

Arthur Shores, Negro attorney representing Negro property owners, said he would not protest the buffer strip ordinance "because it is automatically void due to the lack of a unanimous vote."

Shores furthermore pointed out that the Federal Court had ruled that the zoning law is illegal.

Apparently the City Commission did not have the list of protestors checked against the property owners' list before last Tuesday's meeting.

The City Code provision also points out clearly with what ease future proposed zoning changes in the North Smithfield area can be blocked — unless commissioners vote unanimously.

Courthouse Buzzes With Gossip On House

Bombings, Vote Charges

BY EDWIN STRICKLAND
News Staff Writer

Tomorrow the Jefferson County Grand Jury meets for its last five-day tour of duty before being discharged and another 18-man body formed. Before this Grand Jury is out of session next Friday or Saturday, however, it is expected to make a report on the recent bombings of Negro houses in Birmingham.

That report is also expected to cover certain charges of voting irregularities in the recent City Commission primary.

Circuit Judge Robert J. Wheeler, who organized this Grand Jury three months ago, charged the members to "get to the bottom" of the bombings which wrecked three Negro houses near the Smithfield area. The houses had been recently purchased by Negroes and were located in areas zoned white residential.

* * *

RUMORS OF recent voting irregularities may bring before the Grand Jury nearly a score of witnesses if that body decides to make a full-dress investigation.

Several witnesses have indicated privately that they will ask to be allowed to testify before the Grand Jury even if they are not served with subpoenas.

Copies of many of the charges have been made available to the Grand Jury and to the solicitor's office.

Also available for consideration by the investigative body are the signed oaths taken by persons voting challenged ballots in the primary.

Preliminary check of 22 of the challenged ballots disclosed some irregularities in at least 11.

This check was made by Deputy Solicitor Willard McCall and by the Jefferson County Board of Registrars.

* * *

THE CHARGES hurled after the election included hints that incompleted ballots had been marked at the polls by unauthorized persons; that "over the mountain" residents voted in the city election and that hundreds of persons living outside the city limits are registered in boxes within the city; that in at least one instance a challenged oath was taken and a ballot voted by a person living outside the city but swearing he was qualified to vote within the city.

One candidate in the election, Perry Frederick, has demanded that the Jefferson County Democratic Executive Committee refund to him more than $1,700 he spent in his race for City Commission president. He said he is seeking the refund on grounds that the election was not conducted according to law.

THE VOTING MACHINE issue which has been kicked around for more than eight years after being ratified by a vote of the people of this county, is far from dead.

Supporters of the theory of mechanical voting are getting ready to put their "remember me" into county budget considerations which will begin within three months.

Cost of buying the needed machines outright at present day prices will run over the $300,000 mark. The city of Birmingham, it is understood, still does not care to discuss the possibility of the city purchasing a number of the machines.

Some persons in the know think that the city fathers might profit by looking closely at the arrangement on voting machines which has been worked out by the county of Mobile and by the city of Mobile. The county of Mobile bought the machines but the city is paying in a form of "rental."

If voting machines are bought quickly it may save the Board of Registrars a lot of unnecessary trouble. Many of the county's voting boxes have gone over, or are dangerously close, to the 300 limit in voting.

A hot election which really brought out the vote would probably make scores of boxes go over the limit. The law says the boxes must be divided when 300 or more persons vote in any one box in any election.

A check of persons registered in each box indicates that perhaps a third of the boxes have a potential "overflow" if all persons registered were to vote in any given election.

Splitting boxes is a big job. If you don't believe it just ask Mrs. Collie Quinn, chief clerk to the Board of Registrars.

For voting machines the county has already been districted. There would, of course, still be mountains of detail work for the board even if voting machines were installed tomorrow.

YOU MAY BE asked to vote on the sewer bond issue early next month.

County Atty. Maurice Bishop said he hopes that everything will be cleared early this week for the county to begin advertising the election.

County Commissioner Charles E. Harrison said the commission has taken no action in setting an election date. He said he favors an election at the earliest possible moment, however.

ONE MORE salary raise bill from Jefferson County will go into the legislative mill in the near future. County Judge G. C. Boner will ask for a raise of salary to $7,500 from his present salary of $5,700.

Judge Boner points out that his court handled some 6,000 cases last year and that — unlike Circuit Courts—his court is in session 12 months per year, 30 days each month, night and day.

Call To Wisdom And Good Will

Some things stand out very plainly in the controversy over white-Negro residential zoning in Birmingham. It is apparent that there is no easy, simple solution to the problem, that it involves fundamental human needs and deep feelings, that all-around good will, restraint and wisdom are required for constructive dealing with it.

Some of the basic facts are plain.

Mutually constructive racial relations unquestionably would not be promoted by indiscriminate mingling of white and Negro families in residential areas. The setting up by Negroes of homes in established white neighborhoods obviously would make for serious trouble.

But, on the other hand, the right of Negroes to acceptable homesites is fundamental and a growing shortage of such sites appears to be one of the major underlying factors in the present situation.

Moreover, federal court decisions indicate, in our opinion, that zoning ordinances based on color will not stand the test of legality.

* * *

The Birmingham City Commission, however, is still faced with the pressing problem of establishing arrangements that will serve all the needs of the situation. It must seek to abate tensions and prevent conflicts. It must strive to protect the legitimate interests of all. It must seek justice for all.

We recognize the difficulty and delicacy of the questions and responsibilities facing the commissioners. We believe they are making an earnest and conscientious effort to deal with the matter constructively and fairly. It is to be hoped that they can work out plans and procedures that will be acceptable to the great majority of both races.

Commission President Green, in commenting on an ordinance to establish a "buffer" commercial zone and set up certain racial restrictions on occupancy of a number of residential lots, indicated that he realized that the legality of the measure is doubtful. He remarked, in effect, that law does not always meet human situations exactly.

Of course that is true. And sometimes the law is stretched with the highest of motives. Sometimes the results may be good. That seems to be the purpose in this instance.

We hope that somehow a constructive program can be evolved. But whether procedure along lines of highly doubtful legality can contribute to that end in this case remains to be seen. If there follows an extended series of enforcement steps, legal challenges and test cases, tensions and troubles may be increased.

* * *

This newspaper fervently hopes that all concerned—and that means all of us—will steadfastly strive to avoid doing anything that will make a complex situation even more difficult.

We hope no moves will be made to break down arbitrarily arrangements that have prevailed and that originate in good faith to prevent racial trouble over residential areas.

We hope that the urgency of making more desirable homesites available for Negroes will be recognized and that action to that end will be pressed.

Certainly, all the people of this community and their officials are facing the obligation to act with the highest wisdom of which they are capable.

Good will is urgently needed on the part of all.

Fundamental human rights should be recognized—justice should be served.

Resolute efforts must be made to promote understanding, cooperation and mutual consideration. They can, we believe, lead toward arrangements as acceptable as can be hoped for in a complex problem for which no solution is conceivable that would fully satisfy all.

Buffer Zone Void Under City Code, Check Reveals

City Must Start All Over Again In North Smithfield Dispute

There is no "buffer area" in North Smithfield despite action of the City Commission last week.

This was disclosed today by a check of the city code. The case calls for a unanimous vote by the City Commission to change any zoning when 20 per cent of the property owners involved protest the move.

Last week's City Commission vote to create a 50-foot buffer area in North Smithfield was carried two-to-one. Mayor Green and Commissioner James W. Morgan voted in favor of the buffer area, but Commissioner Eugene (Bull) Connor voted against it.

However, the city had on file protests from more than 140 Negroes who own property involved. They represent far above the needed 20 per cent to void last week's action.

THUS THE CITY will have to start all over again to create a buffer area between Negroes and whites.

Anyway the buffer area was due for further study because the commisison inadvertently set up the buffer strip between two white zones instead of between white and Negro zones as intended.

This is what the city code and the state law says in regard to changing any zoning ordinance boundaries:

"In case of a protest against such a change, signed by owners of 20 per cent or more of the lots included . . . are of those immediately adjacent in the rear thereof extending 500 feet . . . such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Commission."

* * *

BIRMINGHAM HAS ONLY three city commissioners. It has been ruled in order to pass an ordinance for such a change the commission must vote unanimously in favor of it.

Arthur Shores, Negro attorney representing Negro property owners, said he would not protest the buffer strip ordinance "because it is automatically void due to the lack of a unanimous vote."

Shores furthermore pointed out that the Federal Court had ruled that the zoning law is illegal.

Apparently the City Commission did not have the list of protestors checked against the property owners' list before last Tuesday's meeting.

The City Code provision also points out clearly with what ease future proposed zoning changes in the North Smithfield area can be blocked — unless commissioners vote unanimously.

Bombings, Vote Charges

BY EDWIN STRICKLAND
News Staff Writer

Tomorrow the Jefferson County Grand Jury meets for its last five-day tour of duty before being discharged and another 18-man body formed. Before this Grand Jury is out of session next Friday or Saturday, however, it is expected to make a report on the recent bombings of Negro houses in Birmingham.

That report is also expected to cover certain charges of voting irregularities in the recent City Commission primary.

Circuit Judge Robert J. Wheeler, who organized this Grand Jury three months ago, charged the members to "get to the bottom" of the bombings which wrecked three Negro houses near the Smithfield area. The houses had been recently purchased by Negroes and were located in areas zoned white residential.

* * *

RUMORS OF recent voting irregularities may bring before the Grand Jury nearly a score of witnesses if that body decides to make a full-dress investigation.

Several witnesses have indicated privately that they will ask to be allowed to testify before the Grand Jury even if they are not served with subpoenas.

Copies of many of the charges have been made available to the Grand Jury and to the solicitor's office.

Also available for consideration by the investigative body are the signed oaths taken by persons voting challenged ballots in the primary.

Preliminary check of 22 of the challenged ballots disclosed some irregularities in at least 11.

This check was made by Deputy Solicitor Willard McCall and by the Jefferson County Board of Registrars.

* * *

THE CHARGES hurled after the election included hints that incompleted ballots had been marked at the polls by unauthorized persons; that "over the mountain" residents voted in the city election and that hundreds of persons living outside the city limits are registered in boxes within the city; that in at least one instance a challenged oath was taken and a ballot voted by a person living outside the city but swearing he was qualified to vote within the city.

One candidate in the election, Perry Frederick, has demanded that the Jefferson County Democratic Executive Committee refund to him more than $1,700 he spent in his race for City Commission president. He said he is seeking the refund on grounds that the election was not conducted according to law.

Courthouse Buzzes With Gossip On House

THE VOTING MACHINE issue which has been kicked around for more than eight years after being ratified by a vote of the people of this county, is far from dead.

Supporters of the theory of mechanical voting are getting ready to put their "remember me" into county budget considerations which will begin within three months.

Cost of buying the needed machines outright at present day prices will run over the $300,000 mark. The city of Birmingham, it is understood, still does not care to discuss the possibility of the city purchasing a number of the machines.

Some persons in the know think that the city fathers might profit by looking closely at the arrangement on voting machines which has been worked out by the county of Mobile and by the city of Mobile. The county of Mobile bought the machines but the city is paying in a form of "rental."

If voting machines are bought quickly it may save the Board of Registrars a lot of unnecessary trouble. Many of the county's voting boxes have gone over, or are dangerously close, to the 300 limit in voting.

A hot election which really brought out the vote would probably make scores of boxes go over the limit. The law says the boxes must be divided when 300 or more persons vote in any one box in any election.

A check of persons registered in each box indicates that perhaps a third of the boxes have a potential "overflow" if all persons registered were to vote in any given election.

Splitting boxes is a big job. If you don't believe it just ask Mrs. Collie Quinn, chief clerk to the Board of Registrars.

For voting machines the county has already been districted. There would, of course, still be mountains of detail work for the board even if voting machines were installed tomorrow.

YOU MAY BE asked to vote on the sewer bond issue early next month.

County Atty. Maurice Bishop said he hopes that everything will be cleared early this week for the county to begin advertising the election.

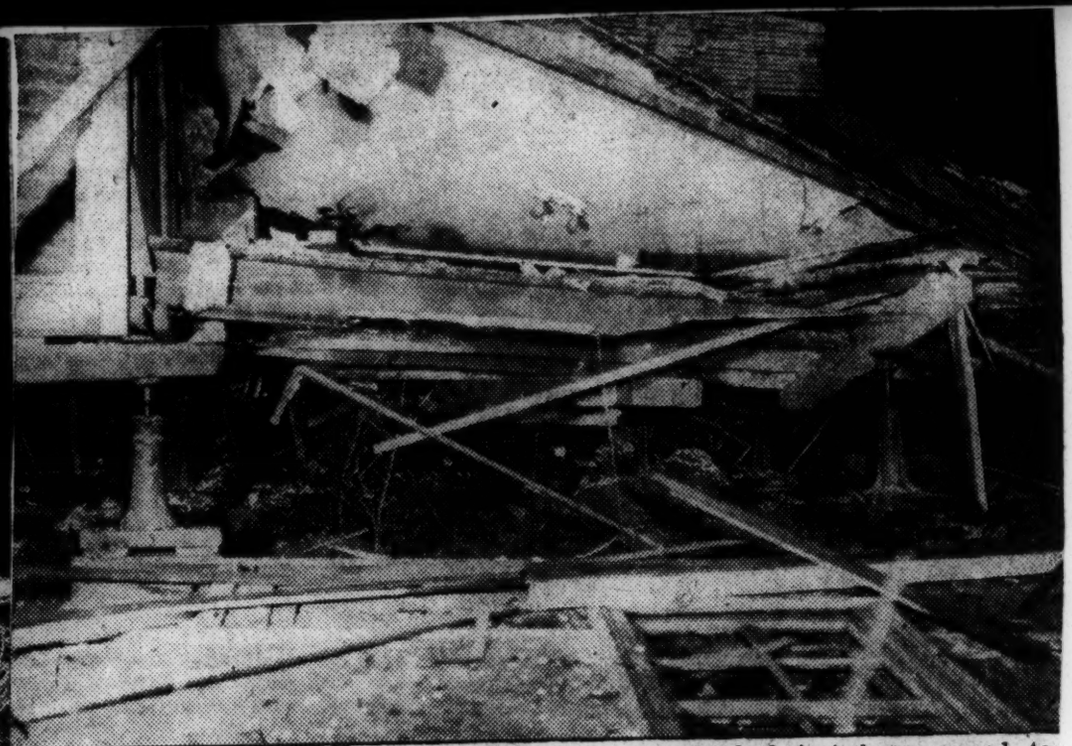
County Commissioner Charles E. Harrison said the commission has taken no action in setting an election date. He said he favors an election at the earliest possible moment, however.

ONE MORE salary raise bill from Jefferson County will go into the legislative mill in the near future.

County Judge G. C. Boner will ask for a raise of salary to $7,500 from his present salary of $5,700.

Judge Boner points out that his court handled some 6,000 cases last year and that — unlike Circuit Courts—his court is in session 12 months per year, 30 days each month, night and day.

REAR OF HOME BLOWN OFF—The above picture shows what happened to the rear of the center residence of the three homes that were "dynamited" at First Street and 11th Avenue, West, early today. The home was being remodeled for a Negro occupant. Birmingham News Birmingham Ala Tri-3-25-45



BISHOP WAS GOING TO MOVE HERE—This residence had just been moved to another lot and was to be repaired for occupancy by Bishop S. L. Green, of the African Methodist Church. The wall was blown off the front end of the home in last night's explosion. Tri-3-25-45

BACK PORCH WAS HERE—A police officer surveyed damage to one of three homes that were blasted in an after-midnight explosion in the North Smithfield section. The back porch was blown off the house. Two detectives have been assigned to investigate the explosions. Tri-3-25-45

A Smithfield Solution Coming?

The News

This paper is glad to learn that progress is now being made, acceptable to both white and Negro property owners in the North Smithfield area, toward a sensible solution of the difficult problem of providing more residential space for Negroes in that section. The situation which existed and will continue to exist until a satisfactory agreement is reached is complex. But responsible leaders of both races are meeting from time to time for unheated and realistic discussion. Out of such conferences good should come. There is no other reasonable way of solving the problem within the confines of the laws now applicable. P.14 Birmingham Ala

Members of a citizens' advisory committee have been at work for some time. Their deliberations seem now to be almost ready to bear fruit. There have been disagreements, but persons on both sides have shown a willingness to recognize opposing points of view as valid and to look assiduously for bases of possible agreement on which to work out a compromise that may not be absolutely final but which will go a long way toward a peaceful solution. Wed. 6-29-49

Wed. 6-29-49

The fact that in the past many Negroes have been unable to find suitable areas in which they could build homes commensurate with their desires is basic. The committee recognizes the need and is seeking to provide space for such expansion without incitement of community feelings or injury to property interests. Therefore the problem is to find ways by which adequate provision of acceptable Negro residential areas may be assured.

The committee, by consulting representative groups of white and Negro citizens, hopes to arrive at an agreement acceptable to both races. Cooperation from both races has been sought and, to a considerable extent, has been found. Many details are still to be worked out, but eventually—one hopes in the not distant future—broad principles of agreement can be set up. Such agreements may not be legally enforceable, but can be tacitly accepted and pressure from both sides may then hold down the hotheads of both races.

Wed. 6-29-49

A peaceful, constructive solution seems in the offing. It can be reached by methods entirely in accord with the democratic principles of an enlightened American policy of fairness to all.

'I'm Officer in Klan,' Suspect Tells Salesman

(38c) Afro-American

Baltimore, Md

Points to Ruins of Bombed Homes in Area With Warning, 'It May Happen to You'

Sat. 6-4-49

BIRMINGHAM, Ala. (NNPA)—Police Chief C. Floyd Eddins last week began investigating charges that a city employee threatened to bomb the home of a colored family.

Chief Eddins identified the employee as Robert E. Chambliss, employed at the City Garage.

Chambliss said he is a Klansman according to City Detective Paul McMahan, but would not comment on the alleged threat "until after a talk with Chief Eddins."

Seen at Scene

He was seen at the scene of the threat by Detective McMahan.

A colored insurance salesman, Willie German, had started moving into the residence which had been vacated by another colored family in March.

Threat Told

German said that after part of the furniture had been taken into the house, the man who identified himself only as a "city employee" stepped up to him and said:

"I'm a city employee and an officer in the Robert E. Lee chapter of the Ku Klux Klan." Pointing to other colored homes which have been bombed, he is alleged to have continued: 6-4-49

"Do you see that? We don't want any colored people here. If you and your family aren't out by tonight, that is liable to happen to you."

Whites Block
Negro Housing

Montgomery, Ala. -The City Planning Commission is wrestling with housing problems here.

Hostile whites who won a plea to have the board deny a permit for a Negro housing site were using the same tactics to block a second application.

Under consideration is a building permit to construct 464 housing units. A twenty-two unit housing project under construction had been halted by hostile protest.

Lack of sewage was the basis for rejecting an application but research now indicates that the facts were mixed. Hostile white groups had urged the building he stopped by any means.

A decision is due this week.

Courier
Pittsburgh, Pa.
Sat. 10-29-49

Negro Attorney Asks Zoning Laws Be Declared Illegal

Thurgood Marshall, New York Negro attorney, climaxed an argument against the city's zoning laws at noon today by asking that they be declared unconstitutional.

The New York lawyer, representing the National Association for the Advancement of Colored People, was the first to argue the case in Federal Court before Federal District Judge Clarence Mullins

TAKING OF TESTIMONY has been under way since yesterday morning.

After Atty. Marshall concluded his argument Judge Mullins recessed the court until 2 p.m.

Tom Huey, assistant city attorney, will be make the first argument for the city. The defendants in a suit brought by Negroes asking for an injunction against the city restraining them from enforcing the zoning ordinances, and to declare the ordinances unconstitutional.

ATTY. MARSHALL declared that "Not one piece of testimony has been presented in this case to show that there is any fundamental difference between a Negro citizen and another."

The widely known attorney quoted anthropologists as saying that if the skin were removed from Negroes there would be no difference between the races.

"The basic question is whether we in this country can hold up our heads and say whether the Negroes in this country stand on the same footing as everyone else," Marshall declared.

The attorney said he understood from testimony given by Mayor Cooper Green that the city official puts racial segregation "above all written law."

* * *

"I DON'T BELIEVE in that form of government," Marshall commented.

Both Marshall and Arthur Shores, Birmingham Negro attorney who presented the first argument, pressed for a ruling based on class action.

If such a ruling were given it would affect all Negroes.

Judge Mullins has previously ruled zoning ordinances unconstitutional, but this case applied specifically to an individual issue.

Marshall expressed concern over what "the left writers" would read into the case heard here.

* * *

HE SAID THERE is a possibility that the case would show that the white people of Birmingham have a distaste for Negroes.

"No principle of law is more deeply vested than the right of a man to occupy his property," Atty. Marshall argued.

"The legal use of property can be prevented but not the legal occupancy," he said.

Conditions were getting desperate in the Graymont Hills-North Smithfield area until the city took steps and adopted a new zoning ordinance, a citizen of the Graymont Hills community, told the Court.

H. B Hanson, Jr., 700 Eighth Terrace, West, said that he had been "kept awake nights" over the situation.

COMMISSIONER EUGENE CONNOR testified for the defense, but the Negro attorneys decided not to cross-examine him. This was decided by the Negro attorneys after they had asked for a few minutes to confer. Federal District Judge Clarence Mullins called a 10-minute recess.

Commissioner Connor and Police Chief Floyd Eddins both testified that Birmingham has adequate police force. Chief Eddins said the zoning laws had been observed until 1947.

Commissioner Connor was called back to the stand to testify that Mary Monk, one of the plaintiffs, had not made any appeal that he knew of when Building Inspector H. E. Hagood failed to give her a building permit after she had bought property in the disputed area.

* * *

CONNOR ALSO TESTIFIED that the zoning laws had been observed until the present controversy developed.

Walter E. Henley, chairman of the board of the Birmingham Trust National Bank, the first witness today, testified as to home development in the Graymont-College Hills section since 1926, when the city adopted its first zoning regulations regarding residences for whites and Negroes.

Horace Wilkinson, special attorney for the city, was unable to bring out any testimony from Henley about the possible result if zoning regulations were lifted because of objections from Thurgood Marshall, New York Negro attorney representing the National Association for the Advancement of Colored People.

Atty. Wilkinson also tried to question Chief Eddins about bombings in the area, but he was balked by objections from Atty. Marshall.

Hanson, under questioning by Atty. Marshall, said that the zoning ordinance resulted from a compromise between a committee from the Graymont-College Hills Civic Association, of which he was a member, and the committee appointed by City Commissioner James W. Morgan.

Hanson said that after the recent zoning ordinance was adopted 'tension died down materially."

A court battle over the city's zoning laws was in its second day in U. S. District Court today.

Two Birmingham city commissioners already had testified as to how they feel about the issue. Mayor Cooper Green, president of the commission, told a packed courtroom that the need for preserving residential segregation between the race "goes beyond the written law."

Commissioner James W. Morgan declared that the zoning laws are not based on "a difference between the races."

"IT IS A CUSTOM that has gone through the years," he told Horace Wilkinson, special attorney for the city, in answer to a question from the attorney. "We think it best to have our own areas to live in."

Thurgood Marshall, New York Negro attorney representing the National Association for the Advancement of Colored People, asked Mayor Green if he put the city's zoning ordinances" above the Constitution of the United States?"

"I PUT THE PEACE AND HARMONY of the community above everything," the mayor retorted.

Just before this, Mayor Green said that the segregation laws were "created by the people and the good Lord."

The city is defending its right to enforce zoning ordinances, prohibiting Negroes from living in areas prescribed for whites. A class suit has been brought against the city by Negroes asking for a permanent injunction to restrain the city from enforcing these laws. The suit also asks that the ordinances be declared unconstitutional.

MAYOR GREEN was asked by Atty. Wilkinson what he thought the result would be if the zoning ordinances were changed.

"It would be tragic . . ." the mayor began.

But he was stopped by an objection from Atty. Marshall which was sustained by Federal District Judge Clarence Mullins who is hearing the case.

Wilkinson tried repeatedly to bring out answers to questions as to what effect lifting of the ordinances would have on property values. But in every instance, the court sustained objections to this line of questioning.

THE CITY'S ATTORNEY ran into the same wall when he tried to inject reference to bombings. Several homes were bombed in the North Smithfield area in West Birmingham. The present case developed after the city set up segregation regulations in this area.

Atty. Wilkinson succeeded in having introduced as testimony telegrams from officers of the National Association for the Advancement of Colored People to President Truman, the Department of Justice and others.

In one of the messages, the president was urged "to speak out against the outrages."

This telegram was sent after Negro homes were bombed.

SEVERAL OF THE TELEGRAMS referred to a Birmingham city official whose warnings that "there would be bloodshed" were followed three days later by the bombings.

An appeal was made to Tom Clark, then attorney general for action in another message.

In another, members of Congress were urged to call Clancy Lake Birmingham News reporter, to Washington for a congressional committee investigation. The telegram said that Lake "knew more about the barrier dividing the invisible empire than anyone else here."

A Man's House Is His Castle

Birmingham, Alabama's "white supremacy" may get tinted and it won't be Communism that does it. Mayor Cooper Greene's warning that repeal of the city's racial zoning law may cause strife and turmoil doesn't scare-off militant Negroes who agree with the City Fathers that "there are things that go beyond the written law—things created by the people and the Lord." In Negroes' books these "things" add up to human dignity and the rights of man which they aim to win peaceably — but win, come hell or high water. More's the pity that Greene hasn't the guts to substitute forthright enforcement of the court's edict for scare psychology since it seems about half past time for Southern administrative boobs to discover that with World Wars I and II be-

Truman's own backyard. Missouri's
Supreme Court ruled that a white
who violates a racial covenant to
which he is a party may be sued
breach of contract in case he
to a Gentleman of Color. U.S.
me Court will have its say
is opinion . . . Charlotte, N.C.
ave to erase racial specifica-
to get 400-unit public housing
t approved which would
restricted occupancy to Ne-
amilies only. Racial designa-
of public housing units is op-

Whither Now, Little Man?

To the Editor:

Judge Mullins' decision that zoning ordinances based on race are unconstitutional is only one of a long line of legal dicta not only of federal but of state courts as well. The unanimity of these decisions is impressive and the fact that the court of last resort, the U. S. Supreme Court, would have to reverse its own previous ruling in order to legalize our municipal ordinances on the subject should be conclusive. Prolongation of the battle for their validation is hopeless—a waste of time and the taxpayers' money. Whether we like it or not, these are the inexorable facts.

Where does this leave us? Perhaps if we can manage to simmer down and look around us in sincere search for light, if we can manage to face the future in the spirit of reason, cooperation and fair dealing, we would find that we are not in such a bad "fix" after all. Louisville, Atlanta, New Orleans, Dallas, to mention only a few of the larger Southern cities so situated, are without racial zoning ordinances. Yet we do not recollect the daily papers being swamped with their tales of woe on that score. In the light of these facts, to argue that racial zoning ordinances are necessary to peaceful relations between the races is pure defeatism and virtual admission that the citizenry of our proud city is inferior in patriotism, good will and the spirit of cordial cooperation to the citizenry of these other cities. This, of course, is unthinkable. And, at any rate, the influence of the zoning ordinances has, up to this date, been in a direction diametrically opposite to that of peace.

Perhaps the most pressing question is what to do about those Negro citizens who have already, in good faith, acquired property in zones heretofore restricted to whites or largely populated by whites. Here a suggestion may be in order. A committee might be appointed to call a meeting of such property owners, and have Negro ministers, other Negro leaders or other such persons in whom they had confidence explain to them the undesirability of moving their families into neighborhoods where they were not desired, and that such action could only result in covert hostility, perhaps the violence of hotheads, and certainly the insecurity and unhappiness of their families. They might be advised to sell their properties, and the city might very profitably devote a portion of the funds which would otherwise be spent on hopeless legal action to assuring them a bonus over the purchase price. This suggestion is, of course, merely tentative. There may be better ways of achieving the same ends.

This letter is not written in criticism of anybody or anything, but solely in the hope of being helpful in the happy solution of an admittedly difficult problem.

J. MELANCON.

4235 Fifth Avenue, South.

38c 1949

ALABAMA

Guns Answer Dynamite Blast; Damage Slight

Police Commissioner Criticizes Failure To Tell Authorities

BIRMINGHAM, ALA., Aug. 13 —(AP)— A tense racial zoning row erupted today in the dynamiting of two Negro ministers' homes and answering gunfire by Negroes guarding the houses.

Two midnight blasts, seconds apart, rocked the adjoining Negro houses in an area zoned for whites only. Windows were shattered and a few planks knocked loose.

There was little damage although the heavy explosions were heard over most of Birmingham.

Pistols Fired

Rev. E. B. Deyampert, one of the Negro ministers, said three or four Negroes fired with pistols and shotguns at a speeding automobile from which the bomb were hurled. The shots apparently missed.

Eighteen Negroes were on porch or in the houses at the time, he said, but none was injured.

Police Chief C. Floyd Eddins tonight assigned a patrol car to all-night duty in the area, as a "preventive measure." Four detectives are investigating the outburst of violence.

Asked by reporters if he planned to move, Rev. Deyampert replied "this is my home and I'm going to stay here." The other minister, Rev. Milton Curry, said the same.

The houses are a half block from three others that were heavily damaged by bombs the night of March 24.

Negroes Gather

Throngs of Negroes gathered within a few minutes. All available police roared to the scene in patrol cars. One Negro was arrested and charged with refusing to obey an officer's command to move on.

Rev. Deyampert said the dynamite was thrown by an unmasked white man riding on the running board of the car.

One bomb fell on the lawn about 20 feet from the front porch of Rev. Milton Curry's house. It dug a two-foot crater. The other struck a curbing and shattered the stone.

Rev. Deyampert told officers he was seated on the front porch of his home with seven other members of his race. He said he had called them to join him earlier because he feared trouble.

About two hours before, B. W. Henderson, who also lives in the Curry house, trailed a car with dimmed lights that halted briefly across the street.

No Number Obtained

He said he followed it several blocks to where two other cars apparently were waiting for it. He wasn't able to get the license tag numbers. Henderson said he told Rev. Deyampert and they called others. They were severly criticized bypolice officials for failing to notify them. Police Commissioner Eugene Connor charged the Negroes "are partly to blame for the incident for not informing the police." He issued a statement at Mobile after conferring by telephone with Police Chief Floyd Eddins. "They (the Negroes) had a tip from a Negro that something was going to happen last night," he said. "Instead of calling the police I understand they had shotguns and pistols and were waiting for them when the dynamiters came."

COULD PREVENT IT.

The Commissioner said police could have prevented the incident if they had been notified. Mayor Cooper Green described it as regrettable. Commissioner James W. Morgan said, "I promise positive action," at the next commission meeting Tuesday.

Morgan didn't disclose what he planned specifically but added: "It is pretty well understood throughout the city that some land should be made available to our colored citizens to construct homes."

The commissioner has been conferring with a citizens group he appointed to study the problem. Names of the committee have not been disclosed.

He said recently that although the population within the city limits was almost 50 per cent Negro, the large majority of the residential areas was zoned for whites.

The months-long controversy stems from the slow encroachment of Negroes into areas restricted to white occupancy. This is particularly so in the North Smithfield area in which the houses were bombed. It adjoins the Smithfield federal Negro housing project.

Demand U.S. Outlaw Race Zoning Laws

BIRMINGHAM — Citizens here have banded to ask the U. S. District court to outlaw a zoning ordinance which bars Negroes from living in areas "generally and historically" regarded as white.

The ordinance, passed a month ago, following attacks on the homes of Negroes who move into "white" areas, also prohibits whites from moving into "Negro" neighborhoods.

Atty. Arthur Shores, representing the complaining citizens, said the suit would seek to have all zoning regulations on the basis of race declared unconstitutional. The issue was brought up previously in Federal Court but a ruling was not handed down on the validity of the law. Instead it dealt only with the particular cases involved.

Racial tension aggravated by Ku Klux Klan demonstrations flared to the danger point when two ministers moved into an area that was changing from all white to mixed residency. Vandals blasted three homes with dynamite, and explosives were thrown at two other homes.

Beleaguered Negro residents armed themselves and prepared to fight off threatened house wrecking mobs, but the attacks failed to materialize. At one point Governor James E. Folsom ordered state police to take over the job of patrolling the tension area from local officers.

Zoning Laws Ruled Illegal

Birmingham Loses, to Appeal Verdict

BIRMINGHAM — This city's zoning laws, which made residential segregation enforceable—although banned by the U.S. Supreme Court—was ruled unconstitutional by the Federal District Court last week.

Judge Clarence Mullins handed down a sharp decision permanently enjoining the City Commission from enforcing the ordinance.

The Commission announced that it will appeal the case, instituted by several colored plaintiffs on the ground that the zoning law violated their constitutional rights.

Delay Plea Refused

The court denied a motion to hold tne ruling in abeyance pending further court action.

The new zoning law came under fire after its adoption by the city, following a previous ruling by Judge Mullins that the old law was unconstitutional.

Bound by Precedent

The jurist prefaced his decision by saying:

"I want it understood that I must abide by the rulings of the U.S. Supreme Court in this decision, which plainly has shown that such zoning laws, calling for segergation of the races, are unconstitutional."

Georgia Ruling Cited

He pointed out that, contrary to the belief of some, the legal question presented is not new, and declared:

"In 1915, the Supreme Court of Georgia ruled a similar ordinance of the City of Atlanta unconstitutional.

"It is not without significance that the court that handed down that ruling was no 'carpetbag' or 'scalawag' court.

"It was composed of Southern judges chosen by Southern people . . . their decision 50 years after the War Between the States, was handed down in an atmosphere free from the passions created by conflict and its aftermath.

Other Court Decisions

"In 1917, the U.S. Supreme Court declared a similar ordinance of another city invalid under the Federal Constitution, expressly relying on the same reason the Supreme Court of Georgia used in its decision.

"The highest courts of Virginia, Oklahoma, North Carolina and Texas have held such ordinances unconstitutional . . .

"This being a government of laws and not of men, it is the duty of this court to follow the rulings of the U.S. Supreme Court on constitutional questions.

Obeys Supreme Court

"On the validity of a zoning ordinance based on race or color, the U.S. Supreme Court has reaffirmed repeatedly its 1917 decision, leaving this court no doubts as to its commands on this subject.

"The zoning ordinances involved in this case must be held unconstitutional and their further enforcement enjoined".

Lawyers Rout Defense

The decision was another outstanding victory for Thurgood Marshall and Arthur Shores, NAACP attorneys.

Mr. Marshall's withering cross-examination of Mayor Cooper Green and other witnesses for the Ciyt and Mr. Shores' forceful presentation of the case caused the City's defense to collapse.

Dr. Bunche Mentioned

Horace Wilkinson, special attorney for the City, in his summation, said only the Romans and Anglo-Saxons had mastered the law and made a contribution to government.

Mr. Marshall silenced him by citing the statesmanship of Dr. Ralph Bunche.

Wilkinson then recalled a statement by Truman K. Gibson that the 21st Infantry Division melted away" in World War II.

Mayor's Admission

The mayor admitted him that Mr. Gibson said he was misquoted upon his return from Europe where he allegedly made the statement.

Mr. Marshall pointed out to cross-examination by Mr. Wilkinson that the city had admitted the new zoning law after the Federal Court had outlawed the previous one.

Several colored homes were underbombed in the North Smithfield area in West Birmingham, a ten-

Racial Zoning In Birmingham Ruled Illegal

BIRMINGHAM, Ala.—(AP)—A U. S. District Court yesterday ruled that Birmingham's racial zoning laws are unconstitutional.

Judge Clarence Mullins enjoined the city from enforcing its zoning ordinances. He said the U. S. Supreme Court repeatedly has reaffirmed its 1917 decision on the illegality of a zoning ordinance based on race or color.

Citizens' Funds to Pay Cost

BIRMINGHAM, Ala.—It is costing Birmingham taxpayers $3,051.32 for special research and legal services and trips to defend its racial zoning laws despite Police Connor's boast on Aug. 9 that a battery of the "state's best legal minds" would take "this law" to the U. S. Supreme Court "at no charge."

Judge Horace C. Wilkinson, identified with the "Alabama White Supremacy League" and violent anti-Negro political figure, was employed by the city to handle the case Monday, Dec. 12 before U. S. Judge Clarence Mullins.

On Nov. 22, the City Commission (Cooper Green, president, also president of the National Mayors Conference) James W. Morgan commissioner of public improvement, and Mr. Connor, public safety, appropriated $2,500 for legal service and $175.06 for a trip to Washington in connection with the case.

On Dec. 6, the commissioners voted to a Dr. Ben R. Baldwin $1,186 for research and $170.26 trip expense to Chicago and Washington in connection with the racial zoning case.

Mr. Connor projected the racial zoning suit into the opening volley in his campaign for Governor Monday night, Dec. 5 at the Tutwiler Hotel here. He spoke to some 500 admirers are a "Connor for Governor Club."

A violent attack was made by Connor upon Congressman L. Dawson of Illinois, who was recently elevated to the vice-presidency of the National Democratic Party. He also assailed the NAACP who is sponsoring the legal assault upon the constitutionality of the bolstered racial zoning ordinance enacted during the summer by the Birmingham commissioners.

NOT UNFRIENDLY . . . BUT!

Asserting that he was not unfriendly toward Negro citizens, Connor suggested: "I have no hatred or dislike for the Negro. I was born and reared in Dallas County (Negroes out number whites in this county and are currently experiencing difficulties registering to vote), a Black Belt county.

"I know their nature and their traits. As police commissioner, I have tried to be fair to the Negro. (Birmingham has no Negro police) I want them to have good schools, proper playgrounds, proper transportation.

"I want nothing but good for the Negro. But I don't believe there can be good for the Negro if our segregation is abolished. They don't have peace in sections where they don't have segregation."

(Mr. Connor was a walkout delegate at the National Democratic Nominating Convention in Philadelphia. He had Senator Glen Taylor arrested for violating the segregation laws when the Idaho lawmaker came here in May, 1948 for a speech before the Southern Negro Youth Congress.

— "FORTIETH IN '50" —

U. S. Rules Out Zone Law In Birmingham

BIRMINGHAM, Ala.—Mayor Cooper Green predicted "strife and turmoil" for this industrial city last week following a federal court ruling that Birmingham's zoning laws are unconstitutional.

Federal Judge Clarence Mullins granted a permanent injunction last week against the city's enforcement of the laws after several Negroes filed suit in a two day hearing stating the city denied them permits to build homes on lots they had bought in an area zoned for whites.

Green, who is president of the U. S. Conference of Mayors, stated, "Breakdown of the Southern custom of residential zoning will cause strife and turmoil, and I regret the ruling of the court.

"All three members of the City Commission have decided to appeal the case to the United States Supreme Court."

Judge Mullins denied, also, a motion by Horace Wilkinson, special attorney for the city, asking for a "supersedeas" bond to hold the ruling in abeyance until further court action is taken.

Attorneys Arthur Shores and Thurgood Marshall, who represented the National Association for the Advancement of Colored People made opening arguments in the case. Marshall stated that he understood from statements made by the Mayor that the city official placed racial segregation above all written law.

'I don't believe in that form of government," Marshall added.

"No principle of law is more deeply rooted," Marshall argued "than the right of a man to occupy his property."

In a two-hour long argument, Attorney Wilkins tried to have Judge Mullins rule on the case as it affected the individuals filing the suits.

Judge Mullins statement and decision follows in full:

"Perhaps contrary to the belief of some, the legal question presented is not new. In 1915, some 35 years ago, the Supreme Court of Georgia ruled a similar ordinance of the City of Atlanta unconstitutional.

"It is not without significance that the court that handed down that ruling was not a 'carpetbag' or 'scalawag' court, but was composed of Southern judges chosen by Southern people, and that the decision, coming 50 years after the War Between the States, was handed down in an atmosphere free from the passions created by the conflict and its aftermath.

"In 1917, the Supreme Court of the United States declared a similar ordinance of another city invalid under the Constitution of the United States, expressly relying upon the same reasoning the Supreme Court of Georgia had used in its decision.

"Since then, the highest state courts of the Southern States of Virginia, Oklahoma, North Carolina and Texas have held such ordinance unconstitutional.

"While this court is not bound by the decisions of those states, it is bound by the decisions of the United States Supreme Court.

"This being a government of laws and not of men, it is the duty of this court to follow the rulings of the Supreme Court of the United States on constitutional questions.

"On the validity of a zoning ordinance based on race or color, the Supreme Court of the United States has reaffirmed repeatedly its decision of 1917, leaving this court no doubt as to its commands on this subject.

"The zoning ordinances involved in this case must be held unconstitutional and their further enforcement enjoined.

"However, it should be clear that this is one of those problems that cannot, because of its very nature, be solved by law alone.

"If it is to be solved, it must be solved by attitudes of cooperation between races and by a determination of both races that it will be solved by the application of common sense and fair dealing.

"Choosing neighborhoods in which to live and neighbors by whom to live involve a great deal more than a problem of races.

"It is a matter of personal habits, personalities and other individual considerations which, in their nature, do not necessarily involve the question of race or color.

"The same reasons that would influence a member of the white race to reject a home in some white neighborhoods might operate equally to cause a colored citizen to reject a home in some colored neighborhood.

"No person, whether white or colored, should actually desire or attempt to move into a neighborhood in which he knows he will be received in any but a neighborly atmosphere, because his ultimate happiness and that of his family can only be destroyed by such unwise selection.

"Like all things of great value, the solution of this problem may not come easy.

"No respectable law-abiding citizen can believe that violence will aid in the solution of the problem.

"The solution will come with a mutual spirit of moderation and a forbearance of destructive passions.

"The people of other Southern cities, including Atlanta, Ga.; Winston-Salem, N. C.; Dallas, Tex.; Louisville, Ky.; New Orleans, La.; Richmond, Va., and Oklahoma City have solved their problems without restrictive ordinances, similar ordinances of such cities having been held unconstitutional.

"I am confident that the people of Birmingham are equally capable of working out a satisfactory solution."

Jefferson County Zoning Program Handed Boost By Legislative Acts

1947 Measure Amended As Is 1940 Code

BY EDWIN STRICKLAND
News Staff Writer

Efforts to complete specific zoning throughout Jefferson County have been given a boost by two bills recently passed by the Legislature and signed into law.

The bills are to amend the act which set up zoning in the county in 1947, and to amend a section of the 1940 code concerning subdivision control.

The amendments mean this:

1. Unless municipalities get busy and zone within their police jurisdictions, the county will do it for them.

2. Municipalities which do not zone within their police jurisdictions cannot exercise control over subdivisions within those areas. This power would go to the County Planning and Zoning Commission.

The amendment to the 1947 act which established zoning provides that municipalities have 180 days from passage of the act in which actually to zone within their police jurisdictions.

If they fail to do so, it then becomes the responsibility of the Planning and Zoning Commission of the county.

* * *

THE ORIGINAL ACT said simply that municipalities which wished to do their own zoning within their police jurisdicton must give notice within 90 days that they intended to zone.

The law did not say when the actual zoning of the police jurisdiction had to be done.

W. W. Dunn, county building commissioner, said that several municipalities filed their notices within the 90 days allowed, but have actually done nothing about zoning. This hampered the county in its efforts to get all unincorporated areas of the county zoned for specific purposes.

Much the same situation has existed in subdivision control in areas adjacent to municipalities. The municipalities have had the right to control subdivisions if they so desired. This control, however, has not always been exercised, Dunn said.

Municipalities which have zoned their police jurisdictions within 180 days after passage of the act may also control their subdivisions. This is the provision of the second amendment.

* * *

AFTER PASSAGE of the zoning laws in 1947, the entire unincorporated areas of the county—outside the various police jurisdictions—were placed under what is known as "Zone G."

This gives the county the power to exercise control over all subsequent building and land uses in the county.

Lately the Planning and Zoning Commission set up 14 specific zoning classifications. It then asked communities to hold meetings and discuss zoning their areas. When they had reached their decisions they were to make recommendations to the board.

In this manner more than 75 per cent of the 350 square miles of urban areas in the county have been zoned. The board must approve the zoning and the County Commission must pass upon the board's recommendation before the specific zoning becomes law.

Specific zoning classifications include two types of estates, four types of commercial districts, three residential classifications other than estates, an agricultural district three types of industrial districts and one district for the establishment of airports.

* * *

DUNN SAID THAT within a few weeks the board will act upon all specific zoning recommendations from communities which have competed their zoning. He said that by Jan. 1, the board hopes to have specific zoning in effect in practically all the county's urban areas.

Under the existing "Zone G," the county's unincorporated areas are held in "status quo." No changes of land uses or building can be done without permit from the board.

Such permit of the board is dependent upon whether a majority of the other property owners in the neighborhood approve the land use or building. The board, of course, has the final authority in granting the permit. This authority is subject to appeal to the Board of Zoning Adjustment, and later to Circuit Court.

By this method of letting the community control building, occupancy and land uses, the county has escaped the race problem which has plagued the city of Birmingham.

* * *

THE BOARD RECENTLY refused to grant a permit for a white man to operate a business in an all-Negro settlement. The Negroes had signed a petition against the permit.

Permits were also denied two Negroes who wanted to build in a community occupied predominantly by white residents.

"If a Negro can get permission of a majority of the white persons in a community, he can move into that community," Dunn said. "It's the same way if a white person should want to move into a Negro community."

This unusual solution to the race question in zoning has not been tested in the courts.

"I believe it will stand up anywhere," Dunn said. "It's certainly fair to everybody."

Negro Housing Sewer Problem Raised By Foes

Planning Commission Due To Decide Soon On Fairview Project

The City Planning Commission is scheduled to decide this week whether it will permit construction of 464 Negro houses in an area south of Fairview Avenue.

One of the main points before the commission is the problem of adequate sewage facilities. Dr. A. H. Graham, county health officer, told the commission last week he thought the sewage aspect should be studied thoroughly before any extensive building is done in the area.

The health officer said that Catoma creek, when extremely high or extremely low, presents a definite health problem. Two outfall sewers, serving the area of the proposed Negro project, dump into Catoma creek.

625 Protest Project

Folmar and Flinn, local builders, have asked the planning commission to plat the area behind the St. Francis Tourist Court for the project.

Robert Upchurch, a Cleveland avenue resident, said yesterday that he has submitted a petition to the commission bearing the names of 625 protestants, including 250 residents of Veterans Court.

Veterans Court adjoins the site of the proposed project. Other protestants live in Ridgecrest and on Cleveland Avenue and Mobile Highway.

Upchurch quoted Stott Crump, an engineer, as saying that a survey of the area served by the Catoma creek sewers shows 6,000 Negro families with pit privies who should install plumbing "but cannot connect with the already overloaded sewers."

Sees Traffic Hazard

Upchurch also declared that the proposed project would overload Fairview Avenue with auto traffic, would present a bus transportation problem, and would require a new school.

Upchurch took his protest to City Commissioner W. A. Gayle, and City Engineer Bob Skinner yesterday.

The Planning Commission has tentatively scheduled a closed-door meeting for 3 p.m. tomorrow to discuss the problem.

Birmingham, Ala., rezoned thirty more acres last week for Negro houses, thus flouting the 1917 decision of the U. S. Supreme Court against such ordinances, and violating the spirit of the court's 1948 decision illegalizing restrictive covenants. A community cannot do what a group of individuals does not have a legal right to do. Birmingham will be defeated when this business comes before the Supreme Court again. You will see!

Blasts Rock 2 Ala. Homes

Armed Followers of 2 Ministers Repulse Car of Dynamite Hurlers

BIRMINGHAM, Ala. — Banding together to protect the homes purchased by two colored ministers in an area zoned for whites only, Saturday, several colored citizens armed with pistols and shotguns drove off a carload of white mobsters who had driven up with the intention of destroying the property with dynamite bombs.

Two midnight blasts, seconds apart, rocked the houses in which the Rev. Milton Curry, the other Throngs of colored persons gath- clergyman who friends had as- sisted in fighting ered within a few moments; and be property destroyed all available police rushed to the

The bombs were echoed by porches of the two houses. scene in patrol cars.

The thugs about a half block from Although the colored group had three houses that were heavily been attacked with deadly bombs, damaged by explosives last March the only arrest made during the affair was that of a colored man who was charged with refusing to obey a policeman's order to move on.

Home Protectors Blamed

Ironically, Eugene Connor, police commissioner, charged those with protecting the property with being partly to blame for the incident for not reporting the matter to the police.

"They had a tip that something was going to happen last night," he said in a statement, adding, "Instead of calling the police, they called in their neighbors.

"I understand they had shot-

The Rev. Mr. Deyampert said the dynamite was thrown by an unmasked white man riding on the running board of the car, Saturday night, which fell on the lawn about 20 feet from the front porch of the Rev. Mr. Curry's home, dug a two-foot crater. The other struck a cirbing and shattered the thick stone.

One bomb, which fell on the Three carloads of white mobsters had been lined up for the attack, it had been learned, but when the first had been met with gunfire, the others did not

Will Not Be Terrorized

"This is my home; and I'm go-

guns and pistols and were waiting for them when the dynamiters came," he complained.

Unmoved by Threats

Although the Rev. Messrs. Curry and Deyampert have been ordered by city officials to move and been ordered out by anonymous telephone callers, they have refused to be intimidated.

They hold that the recently passed city ordinance setting up a lily-white buffer zone between colored and white residences is illegal.

END SOUGHT TO BIAS IN MERCHANT MARINE

WASHINGTON

New Racial Zoning Plan Rejected in Birmingham

Citizens, Officials' Parley Unfruitful; 2 More Families Move Into White Section

BIRMINGHAM, Ala. (NNPA) —A patently illegal solution to the problem created by attempts at race residential segregation in North Smithfield was being rejected by colored leaders here as a joint meeting of all city officials and a citizens' committee was being held last Monday.

The Rev. J. L. Ware, W. C. Patton and Robert F. Coar said last Saturday, following a caucus of the Committee of Fourteen, that the suggestion of a meeting with Commissioner James W. Morgan had been rejected because such a meeting could serve no useful purpose.

Simultaneously, it was learned that Edward Castor had moved his family into a house at 948 Center St., an area zoned for white residence. Several colored persons watched the family moved into the house in the area where the homes of three colored families were bombed last spring.

City Delays Action

It also was reported that another colored family had moved into 1100 Center St., North without incident. Meanwhile, city officials learned that the Castor family had moved into the area, but delayed action.

Commissioner Morgan named a citizens' committee to study the zoning question in North Smithfield. The city ordinance flies into the very teeth of decisions of the United States Supreme Court holding that municipalities may not enact ordinances setting aside certain city blocks for colored and white residence.

To Prevent Violence

Police Chief C. Floyd Eddies said he had ordered policemen to be on the alert in the Smithfield area. The chief said his department will do everything within its power to prevent any act of violence. FBI Agents have been inquiring into the bombings of the three colored homes in Smithfield ever since they occurred, but, nothing has been done.

Meanwhile, colored leaders summoned to City Hall here by Commissioner Morgan rejected flatly a proposed compromise on racial residential zoning. The NAACP warned him that the association will resist all efforts to enforce the ordinance which sets up a buffer street on Center St., zoning the 50-foot strip on the West side of the street commercially, all East of that trip for colored homes, and the remainder for whites.

The letter, signed by Emory O. Jackson, NAACP secretary, branded the zoning law as "illegal, unconstitutional, null and void." Arthur D. Shores, attorney for the Protective Property Owners Association, was asked by Mr. Morgan to notify the "Committee of Fourteen" about the meeting.

Negroes Ask Zoning Ban In Birmingham

BIRMINGHAM, Ala. — (AP) — A Negro group yesterday asked a Federal court to void Birmingham racial zoning laws as unconstitutional.

U. S. District Judge Clarence Mullins said he would hear arguments Oct. 27 on a petition for a temporary injunction against the city.

The action would cover all Negroes affected by the zoning laws.

The ordinance against which the suit is directed was adopted last month by the City Commission. It bars Negroes from moving into areas "generally and historically" regarded as white areas, and whites from moving in Negro areas.

Five houses bought by Negroes for occupancy have been bombed since March in the North Smithfield area on Birmingham's westside. The Negro houses are in an area zoned for whites only.

City's Fathers Order Hearing On Zoning Plan

One 'Solution' Is Accepted; Session Scheduled Sept. 6

The Birmingham City Commission today called for a public hearing on "one solution" of the North Smithfield zoning problem.

It kicked out two other proposals and worked in a staunch defense of segregation in Birmingham.

The hearing will be held Sept. 6 on recommendations handed in yesterday by the Graymont-College Hills Civic Association.

The recommendation would turn over to Negroes the 15 to 20-acre tract west of Center Street and north of 11th Ct., North.

It also calls for a 150-foot buffer strip east of Center Street.

* * *

THE PROPOSALS were:

1. By a citizen's committee appointed by Commissioner James W. Morgan—which dropped a buffer strip and used Center Street as the dividing line between white and Negroes—rezoned the area north of 11th Avenue, North, for Negroes.

2. By the City Zoning Board—moved the dividing line for Negroes 150 feet west across Center Street—rezoned the area north of 11th Avenue, North, for Negroes.

The Zoning Board voted 2 to 1 for the measure recommended by them at a special meeting yesterday.

The City Commission turned the proposal back this morning for possible future hearings.

COMMISSIONER MORGAN introduced the Citizens' Committee's plans as a substitute for the Graymont-College Hills civic body's recommendations.

Mayor Cooper Green and Commissioner Eugene Connor voted against the substitute offered by Mr. Morgan.

The commissioners thanked the citizens' group for its work but said they favored only the Graymont proposal.

There were about 60 persons in the commission meeting room this morning when the action was taken. They applauded loudly when Commissioner Morgan rapped the National Association for Advancement of Colored People as "trouble makers."

* * *

COMMISSIONER MORGAN read a telegram from the Negro organization which said "it was against the Graymont-College Hills proposal and would fight all zoning here."

"We will not, we will never agree to break down our zoning laws," Mr. Morgan said.

"That's true regardless of Truman and the rest of those people up there."

AFTER THE APPLAUSE died out Morgan said:

"I don't think well meaning Negroes want to live with white people and we don't mean to live with them."

Commissioner Connor also read telegrams from the N. A. A. C. P. which said the proposed zoning compromise is "totally unacceptable and that it would settle 'nothing less than total abolition of segregation zoning.'"

Mr. Connor said: "That's what they think."

THE CITIZENS' COMMITTEE wound up its work with a conference yesterday.

In a report to the City Commission it recommended that the North-South North Smithfield zoning line follow Center Street because there are no white families east of Center Street.

The citizens' group said if its lines were adopted the city "should purchase those houses and lots now located in the white zone and owned by colored people. Likewise, we feel that the city should purchase, or assist, white owners in the disposal of any property belonging to them located in the proposed colored zone."

THE CITIZENS' COMMITTEE said its study of the zoning problem had shown that the "colored people are greatly in need of additional areas in which to live."

The committee asked that it be relieved of "all further responsibility with reference to the zoning question." The report was signed by Ben F. Ray, chairman; the Rev. W. Nelson Guthrie, William Mitch and Key Foster.

The city has its choice today of three solutions for the North Smithfield zoning dispute.

The recommendations of three groups are:

1. Graymont-College Hills Civic Association: Turn over the area west of Center Street and north of 11th Court, North, to the Negroes, and keep a 150 feet buffer strip east of Center Street.

2. Citizens' Committee, appointed by Commissioner James W. Morgan: Drop the buffer strip, use Center Street as the dividing line between Negroes and whites; rezone the area north of 11th Avenue, North, for Negroes.

3. City Zoning Board: Move the dividing line for Negroes 150 feet west across Center Street, plus all north of 11th Avenue North.

Chief argument at a meeting of the commissioners yesterday concerned the so-called "buffer strip."

City Atty. J. H. Willis warned that he didn't believe it would "stick as far as preventing Negroes from building and living there."

There also was heated argument over the question of constitutionality of the city's zoning laws. Commissioner Connor argued all the laws are constitutional, but Commissioner Morgan told him, "Well, all our attorneys tell us they aren't."

Connor said the only trouble with the city's zoning laws is that "it keeps getting in the papers that city commissioners admit they are unconstitutional."

Meanwhile, there was other developments in the latest flareup of the zoning row brought about Friday night when two Negro ministers' homes were damaged slightly by dynamite blasts.

The Birmingham Branch of the National Association for the Advancement of Colored People bombed city officials with telegrams of protest.

The organization made it clear the Graymont-College Hills zoning compromise with the buffer area is "totally unacceptable' 'to the Negroes. And they warned it will be fought with "every legal weapon the N. A. A. C. P.'s legal staff can devise. The N. A. A. C. P. will settle with nothing less than total abolition of all racial zoning."

COMMISSION MORGAN and Mayor Cooper Green were asked to see that "round-the-clock" protection was provided Negroes in the North Smithfield area.

All of the commissioners were called on for "moderation and good sportsmanship" in the attacks on Negro Atty. Arthur Shores, who has handled numerous zoning cases in the disputed area. The N. A. A. C. P. said Shores is the victim of a campaign for "personal hostility and professional intimidation."

Commissioner Connor was told by the N. A. A. C. P. that "it could be reasoned" Connor's statement, "We're going to have bloodshed in this town" became the "signal for violence."

Folsom To Have Look

MONTGOMERY, Ala., Aug. 16—(AP)—Gov. James E. Folsom today told a Negro leader he would study the bombings of Negro houses in Birmingham to determine if some action could be taken.

Folsom told Arthur Shores, Birmingham Negro attorney, during a brief conference that he would see what could be done.

Shores had asked the governor to take some action to stop "terrorism" in the North Smithfield zoning dispute.

Zoning Bill Reported Out Of Committee

MONTGOMERY, Ala., Aug. 16—(AP)—Legislation to prohibit Negroes from living in the same residential areas with whites in Alabama cleared its first hurdle in the state Senate today.

A bill by Sen. C. J. Owen, of Marshall County, was reported out of the committee on municipalities and will be on the Senate calendar Friday.

* * *

BECAUSE THERE are only six legislative days left and the Senate still has to pay appropriations bills, there is little chance for the residential segregation to become law unless it can be passed by unanimous consent.

The measure was introduced last Friday and a companion was offered at the same time in the House of Representatives.

Patterned after a new Birmingham city ordinance, the legislative proposal would make it a misdemeanor for Negroes or whites to live in areas recognized as restricted to members of the other race.

Violations would be punishable by a $1,000 fine or 12 months in jail or both.

Connor made the statement last Tuesday in urging passage of an ordinance which bars Negroes from moving into white areas, and vice versa. The law was passed unanimously.

U. S. Atty. Gen. Tom Clark also was called on for aid by the N. A. A. C. P.

"Six Negro homes bombed over a short period without a single arrest made," the telegram said. "Racial tensions inflamed by unfortunate utterances of one public official. Three days after Commissioner Connor allegedly said, 'We're going to have more bloodshed in this town' . . . violence came."

The Negroes also asked Gov. James E. Folsom for aid in bringing "harmony and peace" to the zoning dispute "within the framework of the decision of the Federal Courts." Gov. Folsom was told a "tense situation exists" here.

The N. A. A. C. P. asked State Atty. Gen. Albert A. Carmichael for a "swift and thorough investigation" of the situation by his office.

And Sheriff Holt McDowell was asked that his office investigate "these outrageous bombings."

YESTERDAY THE ALABAMA branches of the N. A. A. C. P., meeting in Montgomery, adopted a resolution to extend "financial and moral aid" to Birmingham Negroes whose homes have been bombed.

For Cooperation

To the Editor:

In recent editorials you have offered your views on the zoning situation in Birmingham. You have offered as a possible solution to the problem "honest and frank cooperation on a voluntary basis."

For weeks, even months, the city commissioners and men appointed by them to study the problem have sought to settle the zoning issue on just such a basis.

Attempts to bring the Negro and white leaders together for an open and fearless discussion have failed. The Citizen's Committee, appointed by Commissioner Morgan, tried time and again to get Negro leaders to meet with them and representatives of the Graymont-College Hills Civic Association. They reached no agreement. In the last commission meeting, the committee asked to be relieved of further responsibility.

Those meetings were boycotted by a powerful group of Negroes. These self-styled Negro "leaders" have admitted in a telegram to Commissioner Connor that they will settle with nothing less than total abolition of racial zoning. They reiterated that statement at a mass meeting Wednesday night.

All progressive people look forward to a day when Negroes and whites can live together in peace and without fear. The South, along with the nation, has worked in recent years to better the condition of the Negroes. Enormous forward steps have been taken.

Until now the forward steps have been taken by peaceful means. Until now progress, true progress, has been based on understanding and cooperation. Both sides have looked at the facts as well as the abstract ideas of equality in reaching decisions on matters of interracial differences.

Now, with the federal courts having ruled that equality shall be given the Negroes in all fields, social and environmental, as well as economic, the N. A. A. C. P. has abandoned all reason and foresight and turned to legal technicalities.

In the federal rulings they have found a powerful weapon, a weapon strong enough to make our City Commission admit that the situation is near "hopeless."

In speaking of the "situation," however, the commissioners speak not only of keeping Negroes out of areas zoned for whites for that purpose alone. They refer to the impending possibility of increased violence and bloodshed.

True, the recently passed ordinance, which The Age-Herald editorially labeled, "untested and hastily passed," was designed to prevent Negroes from moving into white neighborhoods. But the basic aim of the ordinance was to keep Negroes from putting themselves into a position which endangers the public peace by inciting a race riot.

I, like thousands of other Southern whites and like thousands of Southern Negroes, fervently wish the problem could be ironed out smoothly by "honest and frank cooperation on a voluntary basis."

But, until representative Negroes of Birmingham are willing to stand up for themselves against the lash of the N. A. A. C. P. and similar organizations, I am afraid a peaceful solution is impossible.

Until a peaceful solution is found, the city officials must act to prevent violence in any way they can. Few Negroes are willing to move into a white neighborhood when they are faced with the possibility of heavy fines and imprisonment for doing so.

H. G. PRICKETT, JR.
612 Ninth Court, South.

Zoning Law On Housing Passed In Birmingham

BIRMINGHAM, Aug. 9 — The first legal action to circumvent the U. S. Supreme Court's ruling against restrictive covenants was enacted here Tuesday. The city commission passed a segregation zoning ordinance which is promised to be quickly challenged in the courts.

Police Commissioner Eugene Connor, its author, pledged rigid enforcement of the new measure after it was adopted unanimously.

"Pass this law and the first one who moves in, white or Negro, I guarantee you Connor's men will put him in the jug," he promised.

The new law bars a Negro from moving into an area restricted to whites, and a white person from moving into a Negro section. Violators face a fine of up to $100 or a jail sentence of up to 180 days on conviction.

"We're going to have bloodshed in this town unless something is done," Connor told the Commission during [illegible] for its passage.

Tension has mounted during recent months in the North Smithfield section, since Negroes began moving into the Westside area. It is zoned for white occupancy under a disputed ordinance.

Three houses bought by Negroes there were wrecked by dynamite blasts on the night of Mar. 24. Two others who later moved into the section received anonymous threats.

Negro Radio Tower Wrecked In Birmingham

Supporting Cable Cut; Replacement Is Ordered

BIRMINGHAM, ALA., July 29 —(AP)—A $5,000 steel tower erected for a new all-Negro radio station here was a mass of twisted wreckage today.

Police said a cable supporting the 210-foot tower had been sawed through. The structure was completed yesterday afternoon and fell last night within 10 seconds after the cable was cut.

Adam White, 33-year-old Negro maintenance man at the station, said an automobile containing five white men drove to the tower last night. Two of the men got out while the others remained in the car, he said.

White, who lives across the street from the tower, said he heard a crash but was afraid to go near.

J. Ed Reynolds, president of the Magic City Broadcasting Company, which will operate the station, WEDR, said a new tower has been ordered. Opening of the station, originally scheduled for Aug. 14, will be delayed about two weeks, he added.

Reynolds said an armed guard will be stationed at the tower site in the future.

The station is to be operated for Negro patronage, Reynolds said, and would be devoted to education, music and religious programs, with nothing "of a controversial nature" on the air.

A police investigation was started. Reynolds said he knew of no reason why the tower should be wrecked.

Birmingham Negro Drops Zoning Suit

BIRMINGHAM, ALA., Aug. 22 —(AP)—A suit to force the City of Birmingham to allow a Negro woman a building permit in an area zoned for whites was dropped today.

No explanation for the action was given by the woman, Mary Means Monk, or her attorney, Arthur D. Shores. She had filed a petition for mandamus requiring the city to issue a permit for a residence in North Smithfield.

Several incidents have flared up in North Smithville, zoned for whites, since Negro families moved into the area earlier this year.

Dynamite Found Near Negro Home

BIRMINGHAM, ALA., July 30 —(AP)—Police disclosed today the finding of three sticks of dynamite alongside a Negro house in an area zoned for white homes.

The house is about a half block from three Negro homes that were dynamited the night of March 24.

The dynamite was found Thursday in weeds alongside a house occupied by the Rev. Milton Curry, Negro minister. It was equipped with a fuse and cap but the fuse had not been ignited.

The area is in North Smithfield on Birmingham's west side.

Curry moved into the house despite a city ordinance restricting the area to white residences. The city ordered him to move. He refused pending clarification of the zoning ordinance. He said he received several anonymous phone calls warning him to move out.

Another Negro moved into a house in the area two weeks ago. He said he was warned by phone to move out within 24 hours. He refused.

City Commissioner James W. Morgan appointed a special zoning committee to work out a compromise solution. The committee has been meeting with Negro and white groups.

Folsom Pushes Negro Home Blasting Probe

BIRMINGHAM, Ala.—(AP)—Two State investigators, acting on orders of Gov. James E. Folsom, yesterday entered the hunt for the dynamiters of five Negro homes.

Police Chief Floyd Eddins said the State men had joined Birmingham detectives in an investigation of the violence-marked racial zoning disputes.

The homes of two Negro ministers, located in a section zoned for whites only, were bombed in the latest incident last Friday night.

Three other Negro houses were dynamited last March. No arrests have been made in the cases.

Chief Eddins said a special city patrol car which covered the North Smithfield area after the bombings has been withdrawn.

A State Highway Patrol car was reported patrolling the disputed section night and day.

Gov. Folsom said at Montgomery yesterday he had ordered the Alabama Highway Patrol to make a thorough and complete investigation of the bombings.

"Bombing and violence is not the American way to settle arguments," the Governor said. Ninety-nine percent of the people abhor such things. It is the policy of the State to do everything in its power to stop it."

Folsom added that in his opinion solution of the tense Birmingham dispute would be a matter of getting extremists on both sides to reconcile their differences.

There was no hint of agreement in the latest statements of white and Negro leaders.

Alabama Group Prays For Peace, Pledges To Stand

BIRMINGHAM, Ala. (NNPA) —More than 2,000 colored residents of Brimingham on Tuesday night, August 16, pledged themselves to "utilize every lawful weapon" until "freedom from the reign of Jim Crowism is wor[illegible]"

The pledge was made at a mass meeting on the lawn of Smithfield Court, a housing project not far from the area where five homes of colored families have been bombed since March.

The Rev. Milton Curry, whose home was one of the targets for a dynamite stick Aug. 12, opened the mass meeting with a prayer for "peace, understanding and love." He said, "Oh God, we pray thee, keep away those bombs."

Henry Moss, young law school graduate presided. He introduced Emory O. Jackson, editor of the Birmingham World.

POLICE PRESENT

Jackson took note of the presence of Police Chief Floyd Eddins, Assistant Chief E. H. Brown and a number of dectectives. "Well," he said, "it looks like we have a little more protection tonight than we usually have."

He said, "There have been six bombings and no arrests. That makes the score 6-0 in favor of the bombings. Not only that, but they've arrested three spectators. That's because its easier to arrest spectators than bombers. The score stands 6-0 in favor of intolerance."

Jackson revealed that Thurgood Marshall, special counsel for the NAACP was in Birmingham Tuesday of last week "for a strategy meeting." He quoted Marshall as saying that segregation zoning by local laws was ruled unconstitutional in 1915.

The editor wound up his talk by saying that the meeting was not called to "organize against anybody."

TO STAND TOGETHER

Moss told the crowd that "when we are determined to stand together and defend our constitutional rights, we shall win. We shall never resort to such undercover tactics as bombing under cover of darkness."

Then he called for the reading of two resolutions. The first rapped the City Commission as obviously not sufficiently concerned with the welfare of Negro citizens." It charged the commission has "attempted by questionable and illegal means to ram down the throats of law abiding citizens the unconstitutional compromise zoning plan of another group."

It called for "no compromise" on the question of constitutional rights, "short of rulings of the federal courts and the Supreme Court of the United States as a solution to the zoning and housing situation of Birmingham and Jefferson County."

And it asked for aid from Governor James E. Folsom, State Attorney General A. A. Carmichael, President Truman and the Department of Justice.

Several hundred dollars were dropped onto the table.

Moss told the group that this is not black against white, it is the fight of good people against bad people."

The Rev. E. B. DeYampert, whose home is next to the Rev. Mr. Curry on Center street, and which also was shattered by the August 12 blast, closed the meeting with a prayer.

In their reference to the six dynamitings, the speakers were discussing the two houses shattered the night of August 12, three others a block away dynamited on March 24, and another two blocks away blown up two years ago.

High Feelings Follow Bombings

BIRMINGHAM, Alabama —Feel[illegible] which two Negro ministers' homes were bombed [illegible] One member of a mob of out[illegible] ran high in Birmingham Sat[illegible] after a racial flareup [illegible] whites, where the violence occurred.

[illegible] attempting to restore traffic through [illegible] field section, recently zoned for [illegible] whites who assembled after the shooting was arrested by police for "refusing to obey an officer and resisting arrest." He was booked as Horace Moore.

Police were at [illegible]

Birmingham Turns Back the Clock

EVER since the National Association for the Advancement of Colored People won the famed Louisville case of 1917 in the United States Supreme Court, Southern cities have given up trying to pass local ordinances residentially segregating Negroes from whites.

Federal courts have smacked down efforts in New Orleans and Richmond, Va., since then to do what the high court plainly said could not be done.

But, last week, Birmingham, Ala., turned back the clock by thirty-two years and enacted a racial zoning ordinance barring Negroes from living in white sections and whites from living in Negro sections.

This reminds one of Anatole France's observations on the majesty of justice which prevents rich and poor alike from sleeping under bridges.

Negroes comprise 43 per cent of Birmingham's population but the new zoning law gives them only 16 per cent of the city's fifty-two square miles.

Fines up to $100 and jail sentences up to 180 days may be given for violation of this illegal ordinance, and Police Commissioner Eugene Conner, whose police have been unable (?) to prevent the bombing of the homes of Negroes acquired in "white" sections, has stated belligerently:

"Pass this law and the first one who moves in, white or Negro, I guarantee you Connor's men will put in the jug."

It is illuminating that Connor's men have not put any of the white bombers of Negro homes "in the jug," although they are paid to capture criminals.

City Attorney J. H. Willis, recognizing that this ordinance is unconstitutional, warned that it would not stand up if a Negro filed a class suit in the U. S. District Court, which some Negro is sure to do in the near future.

City Commissioner James W. Morgan asked: "I would like to know where our large Negro population is going to live and build," although he also voted for the ordinance.

Birmingham officials are pinning their hopes for a "solution" on the probability that several nearby unincorporated towns may vote in the next election to merge with Birmingham thus making more space available for Negro. housing.

Birmingham officials must realize that their illegal ordinance is sure to cause racial conflicts which may result in vandalism, arson and deaths, but they are so blinded or paralyzed by prejudice and fear that they are helpless to deal with the situation or simply refuse to act as officers sworn to uphold law and order.

The vicious situation in Birmingham calls for immediate Federal investigation and prosecution to protect the civil rights of Negroes seeking to escape from slum districts.

Only last year the U. S. Supreme Court in a notable decision declared restrictive covenants between property owners without legality.

This year Birmingham's city fathers defy that decision.

Will the Federal Government allow them to get away with it?

Background Of A Lawsuit

The action of several Negro attorneys in filing a suit in the U. S. District Court Wednesday asking that city zoning laws be declared void and unconstitutional is what might have been expected. From the point of view of Negroes it is a logical follow-up of the position taken by the City Commission in the recent disturbance over the Smithfield dispute.

It is the first "class action" filed against the city's zoning laws. Heretofore any legal action has had to do with a single specific case. It appears that the city has declined to recognize a decision by Judge Mullins, rendered in August, 1947, as applying to any persons other than the individuals who brought the suit in spite of the fact that Judge Mullins clearly stated in his ruling that city Ordinances 1604 and 1605 are unconstitutional. The ruling enjoined the city from interfering with the right of one Negro to occupy a house he had built. The present suit is filed in behalf of all persons affected.

It is important to note, however, that the city has never attempted to appeal Judge Mullins' decision.

To understand the present suit one ought to have the background of the dispute clearly in mind.

Federal courts in a number of instances have ruled that zoning ordinances based solely on color and racial grounds are contrary to the Constitution of the United States. One of the early decisions was rendered by the Supreme Court of the United States in 1917 in the Louisville segregation case. The court held that a city ordinance could not prohibit any person, regardless of race or color, from owning and occupying his own property anywhere in the city. Furthermore it held that the police power cannot be used to enforce an ordinance that runs counter to constitutional rights on the grounds that it is needed in advance to suppress possible bloodshed.

The local situation became acute early in 1947 when a Negro started to build a home for himself and family in an area near Smithfield which was then zoned white. The city refused to grant him an occupancy permit. He went to court and won his case. That was the case in which Judge Mullins ruled in August, 1947, that such permit must be issued and that the zoning ordinances, 1604 and 1605, were unconstitutional. Two weeks later the house was destroyed by a blast of dynamite.

Early this year Negroes acquired property west of Center Street and prepared to occupy it. Three houses were blown up. No arrests have yet been made in those cases. Then followed the troubles which arose when two Negro ministers occupied homes on the west side of Center Street. The City Commission passed an ordinance introduced by Commissioner Connor which bans Negroes from moving into areas "generally and historically" regarded as white sections and likewise bars white persons from moving into areas regarded as Negro sections. A fortunately unsuccessful attempt was made one night to blow up the two houses then and still occupied by the Negro ministers. No arrests have been made in that case.

Meanwhile a citizens' advisory committee was meeting with the avowed purpose of finding some equitable way of solving the problem. That committee reported a recommendation that the middle of Center Street should be the line of division, running from Eighth Avenue to 11th Avenue and along 11th Avenue to First Street, West, and then back to the old Bankhead Highway. The Graymont-College Hills Civic Association declined to accept that recommendation. It said it would be satisfied only if the east-west line was Center Street with a 150-foot buffer strip on the east side, and it set 11th Court as the northern edge. The city's zoning board would have set the line 150 feet west of Center Street and along 11th Avenue. The City Commission adopted the report of the Graymont group without the buffer strip provision and prepared an ordinance to that effect.

Now comes the new court test. Judge Mullins will hear a petition for a temporary injunction against the city on Oct. 27. The city of Birmingham, Commissioner Morgan, and Building Inspector Hagood are co-defendants. The suit will attempt to have city Ordinances 709-F, 1604 and 1605 all declared unconstitutional.

Negro Lawyers File Suit Seeking To Void Zoning Laws Of City

First 'Class Action' Litigation Aimed At Three Ordinances

Negro attorneys today filed suit in U. S. District Court asking that the zoning laws of the city of Birmingham be declared void and unconstitutional.

The petition is the first "class action" suit against the city's zoning laws.

According to Arthur Shores, one of the attorneys who filed the action a "class action suit" is one in which a plea is made on behalf of all persons affected.

IN OTHER WORDS, should this suit be won, then all zoning laws in the city affecting any and every Negro no matter where he may live, automatically will become void and illegal.

The suit asks for injunctive relief to restrain the city from enforcing all ordinances pertaining to zoning "against any Negro in similar situations."

Specifically mentioned are city ordinances 709-F, 1604 and 1605.

City ordinance 709-F was passed last month by the City Commission. It was introduced by Commissioner Eugene Connor and bans Negroes from moving into areas "generally and historically" regarded as white sections. Likewise white persons are not permitted to move into areas regarded as Negro.

Commissioner Connor has publically boasted that this ordinance has been approved by three top attorneys whom he has refused to identify, as "foolproof" in the courts.

The suit filed today is against Commissioner James W. and City Building Inspector H. E. Hagood are also named. Commissioner Connor is not.

The plaintiffs in the suit are Mary Munk, A. F. Jackson, Pearl Johnnie Madison, Emily

Atty. Shores pointed out that "WE ARE NOW ASKING," Mr. the city be ordinances 1604 and 1605 already Shores said, "that the city have been declared unconstitution-restrained from enforcing the ordi- City Commissioner Morgan and al by federal courts. nances against any and every However, he observed that the Negro."

rulings were accepted here as ap- Federal District Judge Clarence plying only to the plaintiffs in the Mullins handed down the previous particular cases tried at the time decisions that declared ordinances And that the rulings did not apply 1604 and 1605 to be unconstitutional to all Negroes in the city.

Madison, H. L. Lemon, Corine Lemon, T. T. Cole, Jobie Herbert, Lois Drake, H. M. McElrath, T. E. Evans, Ulyssess Terry, Warren Billings, Lucia Billings and the Booker T. Washington Insurance Company.

Filing the suit with Shores were Attys. David Hood and Peter Hall.

The action followed a number of disturbances in the North Smithfield section of the city resulting from the existence of the city segregation zoning ordinances.

Three Negroes homes so far this year have been dynamited and the bombings of two other homes were attempted. Two Negroes, both ministers, have moved back into homes in the neighborhood despite repeated warnings to move out.

They are the Rev. Milton Curry and the Rev. E. B. DeYampert.

The disturbances came after the city re-zoned the area north of 11th Court, North, and west of Center Street from white to Negro. This section comprises about 30 acres.

* * *

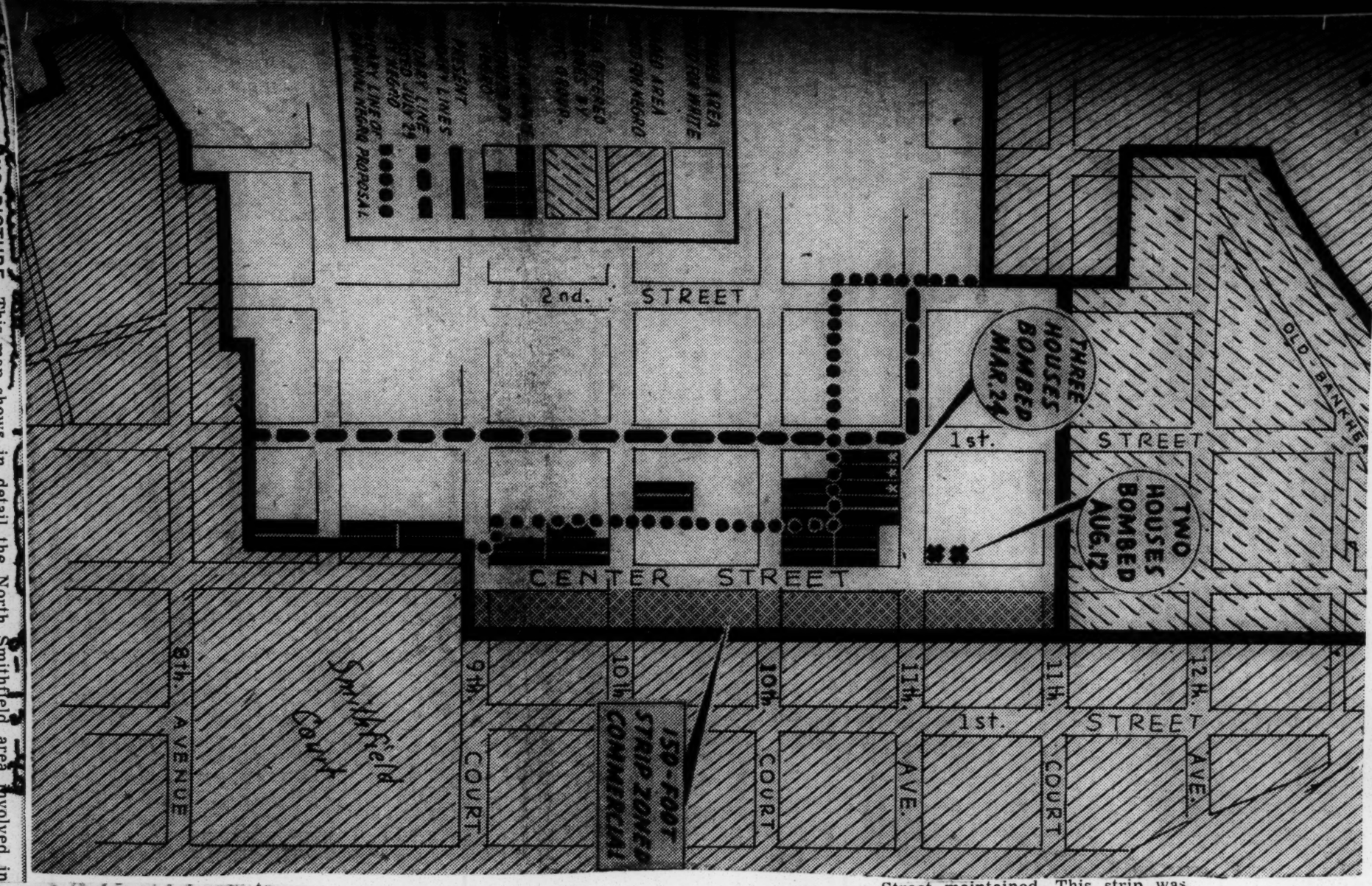
E LAND GIVEN the Negroes nost totally undeveloped. And oes have said they are not ed with this acreage given by the city.

Cop Commissioner Raves, Threatens Violence If Courts Ban Segregation

BIRMINGHAM, Ala. — "If the courts do knock out our segregation ordinances there is going to be bloodshed . . ." declared Dixiecrat Eugene Connor, Birmingham police commissioner, in answer to attorney Arthur Shores, a Negro leader here. who filed suit in federal court challenging the Birmingham Jimcrow housing laws. Connor said, "Neither the Army nor the Navy — or, for that matter — the militia itself, will be able to prevent bloodshed if these barriers are shoved aside."

In the past several attempts to dynamite and bomb Negroes in "white areas" out of their homes, have failed. Police have persecuted the bombed Negroes instead of indicting the bombers. No arrests have been made. A mass meeting of 5,000 Negroes protested the bombings. Those bombed refuse to move and bravely stay in their homes.

In Montgomery the city planning commission turned down a badly needed 464 unit housing project for Negroes, because of the protests of some white supremacists. Attorney for the protesting whites said there would be bloodshed and violence if the city allowed the construction of the homes for Negroes.



THE WHOLE ZONING PICTURE—This map shows in detail the North Smithfield area involved in current zoning dispute. It shows accurately the areas asked for by Negro groups, and the area recommended for Negro occupancy by the Graymont-College Hills Civic Association. The City Commission tomorrow will set a date for a public hearing on the Civic Association's recommendation, and also on the 150-foot buffer strip.

Commission To Call Public Hearing Soon

The City Commission, at its meeting tomorrow, will call for a public hearing on proposed zoning changes in North Smithfield.

The changes are the same as those recommended today by Graymont-College Hills Civic Association. It calls for turning over some 20 acres of land to Negroes.

The area is north of 11th Court, West, and west of Center Street, the old dividing line.

In addition, a hearing will be set on the disputed buffer area. The civic association spokesman, President Horace Hanson, said his organization will go along on this proposed change only if there is a 150-foot strip east of Center Street zoned commercially from 11th Court, South.

* * *

GEORGE R. BYRUM, JR., chairman of the city zoning board, told commissioners that group will not recommend the acceptance of the civic association's zoning boundaries.

He said, "They take in only a part of our recommendations. And I do not believe we will go along on the buffer strip."

The board will meet Thursday and turn over its findings to the city. The city does not have to follow recommendations of the zoning board.

The commissioners told Byrum and City Atty. J. H. Willis to get together and draw up the ordinances so a public hearing can be called.

Earlier in Monday's meeting Public Safety Commissioner Conner and Public Improvements Commissioner Morgan engaged in a warm exchange while discussing constitutionality of the city's zoning laws.

COMMISSIONER CONNOR said "there has been too much in the papers about constitutionality."

He declared that "as long as I live I will never vote for Negroes to move west of Center Street." He said he favors the "compromise solution" offered by the Graymont-College Hills Civic Association and will "vote for that and nothing else."

Morgan asked Connor: "Well, if it was not against the law, why did you not do some law enforcing out there?"

Connor replied that "That is your job. And the laws are not unconstitutional."

* * *

CONNOR, ANSWERING Morgan's query as to "law enforcement" in the area, said "I didn't have any power out there then, but I have now." He referred to an ordinance passed last week making it a misdemeanor for members of one race to move into an area zoned for

Negroes To Meet

A Negro mass meeting will be held Wednesday night to discuss the bombing of two North Smithfield Negro homes Friday night. The meeting is set for 7:30 p.m. on the lawn in front of the Smithfield Court Auditorium.

another.

He added: "And I still don't agree with you that our laws are unconstitutional."

Morgan's answer was: "Well, every lawyer we had thought so. If you didn't think so why didn't you do something about it?"

Connor: "Because zoning is your job."

The public safety commissioner then lashed out at the National Association for the Advancement of Colored People.

He charged that "the N. A. A. C. P. doesn't want to cooperate. None of the Negroes out there want to cooperate. They insist that those Negro preachers (who live on Center Street) stay out there, regardless of what happens."

He then displayed two telegrams. One from J. J. Green, executive secretary of N. A. A. C. P., and one from The Birmingham World, a Negro newspaper.

HE SAID THE N. A. A. C. P. telegram told him his warning that "We are going to have bloodshed" was "a signal for violence."

Commissioner Connor had made the "bloodshed" warning when pleading for adoption of the ordinance passed last week.

He also attacked Morgan for a statement carried in The News yesterday. He said "The way The News read, you insinuated that (Commission President) Green and I didn't want to meet with you on zoning."

Morgan: "Well you never have."

Connor: "Well, I'm here now."

Morgan: "Well, what are we going to agree on?"

Connor: "This resolution and that's all."

He added that he still wants the 150-foot buffer strip East of Center Street maintained. This strip was created by the commission several months ago when the present controversy started getting hot.

The commission meeting this morning broke up in another argument about the constitutionality of the city zoning laws.

Commissioner Connor argued that the laws will hold up in court, and that the city has nothing to worry about along those lines.

He was questioned about the law he introduced here last Tuesday which bars Negroes from moving into white areas and vice versa.

Connor said that law was constitutional and whatever action is taken on North Smithfield also will be constitutional.

Connor last week said his new law was drawn up by three of the best legal minds in the state. He did not identify them. City attorneys disclaimed all knowledge of the ordinance.

Willis told Connor this morning "it would be a good idea for you to have your attorneys up at this hearing on North Smithfield."

* * *

CONNOR REPLIED. "I'll be glad to have them there if possible."

The commissioner argued that there is "too much talk about this unconstitutionality. Let's take it to the Supreme Court right now."

In answer to a question by Mayor Green, Willis said, "Well, take it to Supreme Court if you want to lose it."

Willis was queried about what solution he would come up with on the North Smithfield problem. He said, "Personally, I feel that the wisest legal thing to do is to go west of Center Street to the line the Negroes want and guarantee they will keep. That will keep the city out of trouble."

Connor said, "How can we trust

them? We have no assurance that any Negro will keep his word on any line."

If the commission makes its expected call for a public hearing on the question, it cannot be held for another two weeks.

Under city law, 15 days must lapse between the call and the hearing.

During the argument about responsibility for enforcing zoning, Connor read from the city code that portion which says that enforcement of zoning laws is under the Department of Public Improvements. This is headed by Morgan.

Meetings of the citizens' committee studying the problem have been closed, but it is no secret that group planned to be more "liberal" than the Graymont-College Hills Association in the choice of land to be turned over to Negroes.

* * *

ONE MEMBER OF a citizens' committee appointed by Commissioner Morgan to study the situation said he could "not see anything left for us to do now."

The man, who declined use of his name, rapped the City Commission for its emergency passage of the segregation-zoning ordinance last Tuesday.

"It's just all messed up now," he said. "We were doing all right. In a few days we would have been ready. This is a matter for centralized authority. But our city authorities don't seem to be able to handle it. At any rate, everything we've tried to do has been undone. It's just a big mess as a result of what happened here last week."

He said the citizens' committee probably will get together today and may have a statement tomorrow.

The citizens' committee member took several pokes at the recommendations of the Graymont-College Hills group as being "inadequate to solve the problem."

The zoning law rapped by the citizens' committee member is the one introduced by Commissioner Connor. It bars Negroes from moving into areas "generally and historically regarded" as white, and whites from occupying houses in Negro zones. It was adopted unanimously in quick order.

THE PROPERTY recommended by the Civic League for rezoning is in an area north and west of the present North Center Street "stop" line. One section of it is on a hill. It is unimproved, no streets have been cut through and there are no sewage lines.

Negroes who have been working on the dispute felt that they would be offered that area—and made it plain they would not take it.

They pointed out that city records will show Negroes own slightly more than 75 per cent of the property on both sides of North Center Street.

Should the City Commission adopt the College Hills-Graymont "compromise" it will bring to 25 the number of acres made available to Negroes for building in the Center Street area formerly zoned white.

H. B. HANSON, president of the civic association, said his organization considers the resolution a "fair and impartial solution to the zoning problem in this area."

He said the members were "surprised" at the bombing Friday night.

"At our last meeting," he said, "we were all in accord on the terms of the resolution. Many of us have worked long and hard to arrange a fair settlement of the problem. We hope the resolution . . . which will be submitted to the commission Monday, will solve the present problem."

All was quiet yesterday on North Center Street. The two Negro ministers and their families, who lived in the homes shaken by dynamite sticks, went about their business in a normal manner.

A steady stream of sightseers kept riding by the homes. A police patrol car stayed in the area all night. Det. Capt. C. L. Pierce has assigned four detectives to the case. They are Harold Cain, A. H. Cook, J. W. Henson and Paul McMahan.

Capt. Pierce said a 'thorough investigation" is under way.

Fifth Bombing Stirs Folsom

BIRMINGHAM — Two state investigators ordered into action by Gov. James E. Folsom, this week joined local police in the manhunt for terrorists who dynamited five Negro homes.

Latest incident in white terrorism against Negroes over zoning in Birmingham came Friday, when the homes of two Negro ministers living in areas zoned for whites, were bombed. This was after Birmingham police were supposed to be on the lookout for violence.

Three other homes occupied by Negroes were bombed in March. No arrests have been made. At the same time the state investigators entered the case, a state patrol car took over the job of patroling the troubled area from a city police squad.

"Bombing and violence is not the American way to settle arguments," Governor Folson declared, in announcing that he had ordered the state highway patrol into the case. He said he feels the solution is to get extremists on both sides to reconcile their differences.

Birmingham on Edge

Two More Bombings Rock City

(Special to The Courier)

BIRMINGHAM, Ala. — An all-out war against a jim-crow housing ordinance was under way this week after dynamite blasts damaged the homes of two ministers in the disputed Smithfield section of the city.

The blasts marked the fifth and sixth times that bombers have hurled their explosives either into, or at Negro homes without a single one of the criminals being found or arrested by police.

The Rev. Milton Curry, Jr., 1100 Center Street, N., and the Rev. E. B. DeVampert, 1104 Center Street, N., are the latest victims. Windows in their homes were shattered by the blasts.

In addition, boards over the transom of the Curry home were ripped off. The blasts occurred when a car, reportedly carrying a white man on its running board, sped by. Two sticks of dynamite or bombs were tossed at the homes which contained a total of eighteen persons.

The Rev. Mr. Curry said that he was upstairs in his frame home, reading from the Sixth Chapter of Luke in the Bible, with his pistol lying on the table when the explosions occurred.

The DeYamperts, who said they were sitting on their porch when the blasts occurred, said that at least twelve shots were fired at the car and they believe some of them "hit their mark."

Both of the damaged homes are located in the disputed Smithfield area of this city.

Although Negroes comprise 43 per cent of Birmingham's population, the new "zoning" law limits them to 16 per cent of the available living space with the city's fifty-two square mile area.

After the ordinance, sponsored by police commissioner Eugene Connor, went before the City Commission for approval, Commissioner James Morgan said, "It reads pretty good. But where is these colored people going to live and build." Pointing out the high percentage of Negroes in Birmingham, he added, "Understand, I'm not in favor of their moving in."

Connor partly blamed the Negroes for the incident stating, "They had a tip from a Negro that something was going to happen last night. Instead of calling the police, they called in their neighbors. I understand they had shotguns and pistols waiting for them when the dynamiters came."

More than a thousand persons, the majority of whom were Negroes flocked to the scene of the blasts. Police arrested Horace Moore and charged him with "resisting arrest," after he refused to move.

Eight major organizations were to meet this Wednesday evening in an open air mass meeting at the Smithfield Court Auditorium in protest of the zoning law which has been blamed for much of the existing friction. The groups included: The Birmingham Business League, W. C. Patton, president; Birmingham Property Owners' Association, R. F. Coar, president; Progressive Democratic Council, A. D. Shores, president; Birmingham NAACP, R. C. McLin, president; Interdenomination Ministerial Alliance; Housewives' League; Birmingham Emancipation Association, and the Social Workers' Council.

Birmingham Enjoined From Enforcing Zoning Laws, Ruled Unconstitutional

"The zoning ordinances involved in this case must be held to be unconstitutional and their further enforcement enjoined."

With these words, Federal Judge Clarence Mullins today had ruled in favor of a class suit by Negroes asking that the city's ordinances on zoning be declared unconstitutional and that the city be permanently enjoined from enforcing the laws.

* * *

BUT IN CONNECTION with the ruling, Judge Mullins issued a statement in which he observed that:

"However, it should be clear that this is one of those problems that cannot, because of its nature, be solved by law alone. If it is to be solved, it must be solved by attitudes of cooperation between the races and by a determination of both races that it will be solved by the application of common sense and fair dealing."

Judge Mullins gave his decision and read the statement from the bench after a two-day hearing. Horace Wilkinson, special attorney representing the city, had concluded a two-hour argument and Thurgood Marshall, New York Negro attorney, had made a brief reply.

Earlier Marshall had made a longer argument.

* * *

"CHOOSING neighborhoods in which to live and neighbors by whom to live involves a great deal more than a problem of races," Judge Mullins said. "It is a matter of personal habits, personalities and other individual considerations which, in their nature, do not necessarily involve the question of race or color.

"The same reasons that would influence a member of the white race to reject a home in some white race to reject a home in white neighborhoods might operate equally to cause a colored citizen to reject a home in some colored neighborhoods.

"No person, whether white or colored, should actually desire or attempt to move into a neighborhood in which he knows he will be received in any but a neighborly atmosphere, because his ultimate happiness and that of his family can only be destroyed by such an unwise selection.

"Like all things of great value, the solution of this problem may not come easy. No respectable law-abiding citizen can believe that violence will aid in the solution of this problem. The solution will come with a mutual spirit of moderation and forbearance of destructive passions.

* * *

"THE PEOPLE of other Southern cities, including Atlanta, Winston-Salem, N. C.; Dallas, Louisville, New Orleans, Richmond and Oklahoma City have solved their problems without restrictive ordinances. Similar ordinances of such cities having been held unconstitutional. I am confident that the people of Birmingham are equally capable of working out a satisfactory solution."

Judge Mullins pointed out that it is his duty to follow the rulings of the United States Supreme Court on constitutional questions.

He then pointed out that the Supreme Court has "repeatedly reaffirmed its decision of 1917, declaring a similar ordinance unconstitutional," leaving this court no doubt as to its commands on this subject.

"Perhaps contrary to the belief of some, the legal question presented in this case is not new," Judge Mullins said. "In 1915, some 35 years ago, the Supreme Court of Georgia ruled a similar ordinance of the city of Atlanta unconstitutional. It is not without significance that the court that handed down that ruling was not a 'carpet-bag' or 'scalawag' court, but was composed of Southern judges chosen by Southern people, and that their decision, coming 50 years after the War Between the States, was handed down in an atmosphere free from the passions created by that conflict and its aftermath.

* * *

"IN 1917, THE Supreme Court of the United States declared a similar ordinance of another city invalid under the Constitution of the United States, expressly relying upon the same reasoning the Supreme Court of Georgia had used in its decision.

"Since then, the highest state courts of the Southern states of Virginia, Oklahoma, North Carolina and Texas, have held such ordinances unconstitutional. While this court is not bound by the decisions of these states it is bound by the decisions of the United States Supreme Court.

"This being a government of laws and not of men, it is the duty of this court to follow the rulings of the Supreme Court of the United States on constitutional questions. On the validity of a zoning ordinance based on race or color, the Supreme Court of the United States has repeatedly reaffirmed its decision of 1917, leaving this court no doubt to its commands on this subject. The zoning ordinances involved in this case must be held to be unconstitutional and their further enforcement enjoined."

The City Commission has decided to appeal the case to the United States Supreme Court, it was announced by Mayor Cooper Green, president of the commission. He remarked:

"Breakdown of the Southern custom of residential zoning will cause strife and turmoil, and I regret the ruling of the court."

It marked the second time that Judge Mullins has ruled unconstitutional the zoning ordinances of the city governing the sections in which whites and Negroes can live. In a previous ruling, he gave a decision on specific pieces of property. This last decision concerned a class suit which means that it applies to Negroes in general.

In his argument, Atty. Wilkinson said that "separation of the races is the most deep-seated conviction of the American people."

Segregation, he added, "doesn't depend any more on the existence of regulations any more than the existence of liquor depended on the prohibition law.

"We are going to have it as long as time stands," he asserted.

ATTY. MARSHALL pointed out that doing away with the zoning laws would not require anyone to sell to a Negro. He told the court that no law is more deeply vested than the right of man to occupy his property.

Atty. Arthur Shores handled the case for the plaintiffs with Marshall.

Atty. Wilkinson asked the court to hold the ruling in abeyance but this was denied.

* * *

TESTIMONY WAS given by several Negroes that after they had bought property in the North Smithfield area they had been refused building permits. The Negroes had bought lots on the west side of Center Street. This area had always been recognized as reserved for white residences. The ordinance which has been declared unconstitutional zoned it as such.

Early this year, five homes occupied by Negroes in this area were dynamited. Last March, three houses bought by Negroes were severely damaged by dynamite. They were unoccupied at the time. Two other homes in which Negroes were living were slightly damaged in July.

No arrests were made in the cases.

Negro Moves ... Disputed ... Section

...nce Without ...ent; Police ...red To Alert

...mite-laden incident was ...er smoothly today when ... family moved into a home ... North Smithfield.

The house is at 948 Center Street —an area zoned for white residence. The Negro, Edward Castor, moved his family into the house without incident. Several Negroes looked on, but there were no white persons present.

Meanwhile, city officials learned of the moving—but expect to take no action until Monday.

* * *

BUILDING INSPECTOR H. E. HAGOOD said he has not been officially informed that Castor moved in. He said at noon that he was "checking by phone." He added that he is awaiting the return of James W. Morgan.

Mr. Morgan, commissioner of public improvements, named a citizens' committee to study the touchy zoning problems affecting the entire North Smithfield area.

Police Chief C. Floyd Eddins said he has ordered policemen to be on the alert in the Smithfield neighborhood this week-end.

The chief said his department will do everything within its power to prevent any act of violence in this trouble spot.

He pointed out that enforcement of the city's zoning laws is the direct responsibility of the building inspector.

That committee is slated to meet with Negro citizens sometime Monday afternoon. No doubt the fact that another Negro family has moved into the disputed zone will be gone into thoroughly at the Monday session.

Castor has owned the home since February. He has been waiting for the red hot zoning issue to calm down before moving in.

* * *

A CITY ORDINANCE—which apparently is invalid—has set up a buffer strip along Center Street. Under terms of that ordinance, the strip 50 feet west of Center Street would be zoned commercially. All east of that strip would be zoned for Negroes. The rest would remain zoned for whites.

The Negroes contend Federal Courts have ruled all of the city's zoning laws unconstitutional.

BIRMINGHAM, Ala. — Former Navy laboratory technician, Vicki Eyrich, was fined $50 in Recorder's Court here last week on a disorderly conduct charge which grew out of her sitting beside a Negro woman in a downtown bus in the Jim-Crow section May 25.

Dynamite Placed in Pastor's Home

BIRMINGHAM (ANP)—Here are recent developments in the home security movement here which is labeled the "Smithfield Dispute:"

1. Three sticks of dynamite were found on July 28 under the chimney of the home of the Rev. Milton Curry Jr., of 1100 North Center St.

This discovery came five days after C. E. Henderson, former policeman, of 107 Tenth Court, West, and H. G. Hicks, of 15 Tenth Ave., West, called at City Hall on July 23 for a conference.

Mr. Henderson said at the City Hall conference with George Bynum, a zoning expert, and City Commissioners Cooper Green and J. W. Morgan:

"If the city doesn't do something somebody is liable to start blowng up houses out there again,"

Three unoccupied homes were bombed in this area last March 24. No arrests have been made, so far.

2. A meeting of the "Smithfield Compromise Committee" was scheduled for last week, but it was not learned whether it was held.

3. One member of the committee promised a newspaper reporter a statement.

16 More Arrested In Chicago Disturbances

CHICAGO, Nov. 12—(AP)—Sixteen more persons were charged with disorderly conduct Friday night as a result of a series of disturbances in front of a South Side home.

For five nights, the crowds have been gathering in the street around the home of Aaron Bindman in the mistaken belief, police said, that a Negro family was about to move into the property.

The false impression stemmed, Police Lt. Leroy Steffens said, from the appearance of a Negro at a meeting of union leaders in the Bindman home several days ago.

Some stones were pelted at the house Thursday night but most of the disturbances have been among groups milling around the property.

Thomas Wright, head of Mayor Kennelly's Commission on Human Relations, said Friday night that most of the incidents have been between white neighborhood gangs and any outsiders or strangers in the area.

Adding to the tension, he said, is the arrival of curious persons recently from other parts of the city to observe the activity.

At one time Friday night, the crowd was estimated at 2,000.

BIRMINGHAM ZONE LAW HELD INVALID

Birmingham, Ala.- Dec. 14- A United States District Court Tuesday ruled that Birmingham's racial zoning laws are unconstitutional.

Judge Clarence Mullins enjoined the city from enforcing its zoning ordinances. He said the US supreme court repeatedly has reaffirmed its 1917 decision on the illegality of a zoning ordinance based on race or color.

The decision followed a two-day hearing over the issue of segregation of Negro homes in specific areas in the city.

Mayor Cooper Green said the city commission would appeal the ruling.

The class suit was filed by a group of Negroes. Thurgood Marshall, New York Negro attorney for the National Association for the Advancement of Colored People, represented them.

Several Negroes testified they had bought lots in the North Smithfield area on Birmingham's West Side, but the City refused to permit them to build there because the lots were in areas zoned for white residences only.

Three houses bought by Negroes for occupancy were dynamited in North Smithfield last March. Two others occupied by Negroes were damaged slightly by a bomb last July. No arrests were made.

Mayor Cooper Green testified yesterday "there would be bloodshed and tragedy" if the zoning ordinances were not enforced. He said, "There are things that go beyond written law."

"Choosing neighborhoods in which to live and neighbors by whom to live involves a great deal more than a problem of races," Judge Mullins said in his ruling.

"No person, whether white or colored, should actually desire or attempt to move into a neighborhood in which he knows he will be received in any but a neighborly atmosphere . . .

The solution of this problem may not come easy . . . The solution will come with a mutual spirit of moderation and a forbearance of destructive passions

"The people of other Southern cities, including Atlanta, Ga. Winston-Salem, N. C.; Dallas, Tex.; Louisville, Ky.; New Orleans, La.; Richmond, Va., and Oklahoma City have solved their problems without restrictive ordinances, similar ordinances of such cities having been held unconstitutional.

"I am confident the people of Birmingham are equally capable of working out a satisfactory solution."

Times-Picayune
Thurs. 12-15-49
New Orleans, La.

Birmingham's Racial-Zoning Laws Voided

Federal Judge Enjoins Enforcement by City

Birmingham, Dec. 13 (AP)—A United States District Court today ruled that Birmingham's racial-zoning laws are unconstitutional.

Judge Clarence Mullins enjoined the City from enforcing its zoning ordinances. He said the United States Supreme Court repeatedly had reaffirmed its 1917 decision on the illegality of a zoning ordinance based on race or color.

The decision followed a two-day hearing on the issue of segregation of Negro homes in specific areas in the city.

The suit was filed by a group of Negroes. Thurgood Marshall, New York Negro attorney for the National Association for the Advancement of Colored People, represented them.

Several Negroes testified they had bought lots in the North Smithfield area on Birmingham's West Side, but the City refused to permit them to build there because the lots were in areas zoned for white residences only.

Three houses bought by Negroes for occupancy were dynamited in North Smithfield last March. Two others occupied by Negroes were damaged slightly by a bomb last July. No arrests were made.

Mayor Cooper Green testified yesterday "there would be bloodshed and tragedy" if the zoning ordinances were not enforced. He said, "There are things that go beyond written law."

"Choosing neighborhoods in which to live and neighbors by whom to live involves a great deal more than a problem of races," Judge Mullins said in his ruling.

"No person, whether white or colored, should actually desire or attempt to move into a neighborhood in which he knows he will be received in any but a neighborly atmosphere . . .

The solution of this problem may not come easy . . . The solution will come with a mutual spirit of moderation and a forbearance of destructive passions

"The people of other Southern cities, including Atlanta, Ga. Winston-Salem, N. C.; Dallas, Tex.; Louisville, Ky.; New Orleans, La.; Richmond, Va., and Oklahoma City have solved their problems without restrictive ordinances, similar ordinances of such cities having been held unconstitutional.

"I am confident the people of Birmingham are equally capable of working out a satisfactory solution."

Court Says Sale to Negroes Lays One Open to Lawsuits

Jefferson City, Mo., Dec. 13 (AP) —Property owners who sell to Negroes in a racially restricted area may be sued for breach of contract, the Missouri Supreme Court decided yesterday.

Last year the United States Supreme Court held that real-estate agreements not to sell or lease property to persons of a particular race are not enforceable in courts.

The Missouri court held that the federal decision did not go into another angle—whether one party to the original restriction could be sued for breach of contract.

The opinion stated:

"According to the law as we understand it, the trial court may hear and determine an action for damages for the breach of the restriction agreement . . . without violating any provision of the Federal or State Constitutions. We are of the opinion that an action for damages for the breach of a valid agreement need not be affected by the Fourteenth Amendment."

Involved in the case before the Missouri court were four suits over real estate in Kansas City in which property was sold or rented to Negroes in an area formerly tenanted exclusively by whites.

He said covenants regarding Negroes have been declared valid in the past.

Thurgood Marshall, New York attorney, was one of a battery of Negro attorneys with Shores attacking the ordinances.

The courtroom was packed with spectators, including a large number of Negroes and a class from Montevallo High School which is studying problems in democracy.

* * *

THE SUIT, asking for injunctive relief, attacks the recent ordinance adopted by the City Commission which bans Negroes from moving into areas "generally and historically" regarded as white sections. The ordinance also prohibits white persons from moving into sections prescribed as Negro property.

The suit is a class action one. This means that if it is approved it will throw out all zoning laws segregating residences of Negroes.

The recent ordinance under fire is known as 709-F. But the suit also attacks ordinances 1604 and 1605.

In a previous ruling, Judge Mullins declared these last two ordinances unconstitutional.

* * *

ATTY. SHORES said the ruling applied only to the plaintiffs in the particular case tried at that time. Negro homes were bombed after Judge Mullins issued the ruling.

The new suit also asks that the city issue building permits to the plaintiffs.

Named in the suit are City Commissioner James W. Morgan and Building Inspector H. E. Hagood.

The plaintiffs are Mary Munk, A. F. Jackson, Pearl Jackson, Johnnie Madison, Emily Madison, H. L. Lemon, Crone Lemon, T. T. Cole, Jobie Herbert, Lois Drake, H. M. McElrath, T. W. Evans, Ulysses Terry, Warren Billings, Lucia Billings and the Booker T. Washington Insurance Company.

* * *

ATTYS. David Hood and Peter Hall filed the suit with Shores.

The suit was filed after bombings and attempted bombings of Negro homes in the North Smithfield section of the city. Three Negro homes were dynamited and bombings were attempted on two others.

These disturbances took place after the city rezoned an area of about ... acres north of 11th Court North and west of Center Street from white to Negro. The homes attacked were outside of this area.

Negroes have expressed dissatisfaction with the area that was set aside for them because they say it is undeveloped.

'Racially Restricted Properties'

THE Alabama League of Municipalities and the U. S. Conference of Mayors are advising that Truman's executive order to prevent further segregation in FHA housing isn't as bad as it sounds.

Alabama mayors called upon the League of Municipalities for more facts on the ruling. In response they received a bulletin of the U. S. Conference of Mayors. This bulletin asserts:

What the solicitor general said is that, based on the well-known decision of the U. S. Supreme Court last May, hereafter "no housing projects will be eligible for FHA mortgage insurance if there has been put into effect a covenant racially restricting the use or occupancy of the property." The solicitor general also said that the new policy would also be followed by the Veterans Administration in the field of veterans' housing.

Now, the following clarifying information is important:

1. The new policy has absolutely no application to public housing projects planned by your local housing authority with assistance from the Federal Public Housing Administration. This is exceedingly important to bear in mind. When the 1949 Housing Act was approved the Congress specifically voted down several amendments designed to impose certain racial restrictions on the public housing program.

2. The Housing and Home Finance Agency (of which the FHA is a part), in a supplemental statement issued last night, "cautioned that the proposed new regulations will not mean an end to racial segregation in private developments. It means that FHA insurance assistance cannot be given to projects which have written agreements—either with tenants or landlords—that are discriminatory."

3. For cities planning slum clearance projects involving lease or sale of the cleared land to a private redeveloper the policy would apply if the private redeveloper wished to use FHA insurance and proposed occupancy and use was to be restricted on the basis of race, creed or color.

4. Of course, the policy has no application to private financing of private housing where no Federal FHA assistance is contemplated.

★

READ AGAINST the statements of Truman, Solicitor General Perlman and the FHA commissioner—this bulletin is cockeyed.

The Solicitor General of the United States, in a formal speech blessed by the President, said that henceforward FHA financing would be denied to racially restricted properties."

This, quoth Perlman, would apply to:

1. FHA financing guarantees for single homes and housing projects.

2. GI loans for veterans housing.

3. Slum clearance and redevelopment projects authorized in the multi-billion dollar housing passed last summer.

That, Truman had his secretary state, "is the administration policy. That speech was delivered with the knowledge of the President and the President approved the line laid down by Mr. Perlman."

And Franklin D. Richards, FHA commissioner, said that the new executive order may affect as many as 500,000 dwelling units a year, costing up to $5 billion.

The U. S. Conference of Mayors misses the point when it says that segregation in public housing can't be practiced because in the housing bill Congress rejected such a provision. Precisely! It always does.

Senator Bricker sought to insert the provision in order to kill the public housing act, which in his platinum noodle is socialism.

★

AS WE said in our Saturday piece on Thaddeus, he has tried to accomplish by executive order a policy repeatedly rejected by Congress.

What baffles us is why anybody can doubt Truman's purpose. When last year Congress subjected his Civil Disturbance program to the flush, he later sought to offset the reverse by ordering an end to segregation in the armed services.

In January, the F.E.P.C. is second on the congressional calendar. Truman has announced that he will make his best effort yet to enact it.

In taking the law into his own hands with executive order in the case of federal housing, Truman revealed his unflinching, uncompromising hostility to segregation and perhaps a pattern wherever applicable to federal subsidies. We suspect that there will be more news along these lines.

In Truman the South has a formidable adversary. He is courageous, dauntless and purposeful. He is a powerful political leader. He has won once without the Solid South. But he knows that he could not have won without the minorities of the pivotal Northeastern states.

Angry tirades against Truman are no answer to our problem. For Truman is not the problem, he is only the symptom of a problem that was long in gathering.

City's Request To Delay Zoning Hearing Fails

Wilkinson's Plea To No Avail, Mullins Says Case To Open

The city today failed to get a delay on a hearing attacking legality of the city zoning laws.

Federal Judge Clarence Mullins denied a plea for a postponement after hearing a strong argument from Horace Wilkinson, special attorney for the city in this case.

Judge Mullins gave attorneys for both sides until 2 p.m. to agree on the testimony that would be given by H. E. Hagood, city building inspector, if he were able to appear in court.

Hagood is ill. This was one of the reasons Wilkinson asked for a delay.

Wilkinson based his argument for a delay motion on the ground that the case involved "social, economic and historical factors."

HE SAID he had spent considerable time in Washington assembling a research project to investigate these factors. He added that although the investigation would require several months, he was not asking for a "long delay."

Arthur Shores, one of the attorneys representing a group of Negroes seeking an injunction to restrain the city from enforcing zoning ordinances, argued the questions involved were "entirely constitutional."

He said no social or economic factors are involved.

Atty. Shores told the court it had previously ruled on ordinances cases in Tarrant and Birmingham and "your decisions have been backed by higher courts."

TOM HUEY, assistant city attorney, then told the court that previous rulings are not concerned in this case.

"We want to present a full picture regarding all the problems in zoning," Huey said.

Birmingham Property Owners Petition Truman For Protection

By ANPA News Service

BIRMINGHAM, Ala. — The Birmingham Property Owners Protective Association has petitioned President Truman and other national and state officers to suppress violence against property owners in the area called North Smithfield, where three dwellings owned by colored persons have been bombed recently.

The association, a joint committee representing property owners in the North Smithfield area, asked for an investigation to determine the facts regarding the bombings and the employment of all legal means "to suppress and terminate the activities of any and all subversive organizations" in Jefferson county, organized or existing for the purpose of intimidating and terrorizing any citizens.

PETITIONS SENT

In addition to President Truman, copies of the petition, signed by the colored property owners in the area, were sent to Attorney General Tom C. Clark, United States Senators Lister Hill and John Sparkman, Representative Laurie Battle of Alabama and William L. Dawson of Illinois, Governor James E. Folsom of Alabama, and Attorney General A. A. Carmichael of Alabama.

Copies also were sent to Emmett Perry, Circuit Solicitor of the Tenth Judicial Circuit, Sheriff Holt A. McDowell of Jefferson county, W. Cooper Green, president of the City Commission of Birmingham; Eugene Connor, commissioner of public safety of Birmingham, and James W. Morgan, commissioner of public improvements of Birmingham.

The petition states that colored property owners in the North Smithfield area "are greatly alarmed, incensed, and stripped with almost paralyzing fear due to the apparent failure or inability of the peace officers of Birmingham, Jefferson county, and the State of Alabama to render any appropriate or effective protection to the Negro property owners of the city and county."

The petitioners say that their fears "have been greatly stimulated, increased and made extremely serious by the recent bombing or dynamiting of three dwellings in the last few

FEAR AND UNREST

Due to the fear, unrest and grave apprehension of colored people in Jefferson county arising out of these bombings property owners in the North Smithfield area met to devise ways and means of securing greater protection in the enjoyment of their rights to life, liberty and property, and adopted a resolution, setting out:

1. That on August 19, 1947, the residence of Samuel L. Matthews, a colored man, was destroyed by a bomb, "causing great loss and damage to the owner and great injury to the great reputation of Birmingham, but peace officers of the area have allegedly been unable to determine and identify the perpetrators of crime."

2. During the months immediately following two incidents occurred in which homes of colored persons in Jefferson county have been bombed, but law enforcement officers in the county have allegedly been unable to determine the identity of the perpetrators of these bombings.

3. On the night of March 24, last two houses owned by Bishop Sherman D. Green of the African Methodist Episcopal Church and another owned by John Madison were bombed and almost completely destroyed.

4. Other colored residents of the area have been notified by Birmingham officials that they will have to move because the area is zoned for white residency and colored persons cannot live there.

5. Judge Clarence Mullins of the United States District Court for the Northern District of Alabama, on August 4, 1947, declared Birmingham's racial zoning laws null and void and permanently enjoined city officials from enforcing them.

6. These incidents, together with "other overt and threatened unjust and illegal acts, against the peace and safety" of the community in general, and colored people in particular, have "created a distressing feeling of insecurity" among colored people concerning their persons and property.

7. Expressing confidence in the ability of local, state and national governments to protect human rights, where an emergency exists, the committee called for "renewed and intensified efforts" on the part of citizens and law enforcement officers to cooperate in the protection of the life, liberty and property of the colored population of Jefferson county and to "suppress, expose and destroy any and all subversive organizations in the county that are designed or existing for the purpose of the intimidation or terrorization of any our citizens."

The petition was signed by seventy-one property owners in the North Smithfield area.

Police Patrol Disputed Smithfield Zone After Negro Family Goes In

City Officials Plan Joint Meeting With Citizens' Committee For Monday

Birmingham police were alerted Saturday to prevent any possible act of violence after a Negro family moved into the disputed area of North Smithfield.

Edward Castor, Negro, moved his family into a house at 948 Center Street, an area presently zoned for white residence.

* * *

'Meeting Indefinite'

MEANWHILE, CITY officials plan a joint meeting Monday with a citizens committee appointed to study and report on the zoning problem. It already has resulted in the bombing of three Negro homes in the North Smithfield area.

City Building Inspector H. E. Hagood said the meeting was not definite. He said that Commissioner James W. Morgan is out of the city. "If he returns by Monday he will probably call such a meeting," Hagood said.

Chief Eddins said policemen would be stationed in the disputed area over the week-end to prevent any possible acts of violence.

Hagood said he had not been "officially informed" that Negroes had moved into the area. He said he had heard that a second family had moved in at 1100 Center Street, North.

The Citizens Committee was appointed by Commissioner Morgan in May of this year. This was done after the bombing incidents.

Investigating of the bombings have been before the Grand Jury since that time.

* * *

Buffer Set Up

A CITY ORDINANCE, which has apparently been invalidated by a Federal Court ruling, set up a 50-foot "buffer strip" to divide white and Negro residential sections in the Smithfield area.

The buffer strip was zoned commercially. All east of it was zoned for Negroes. The rest remained zoned for white residences.

Castor has owned the house into which he moved since last February. He has waited about moving in because of the serious zoning dispute which has raged for several months.

Negroes Desert Home After Klan Threat

BIRMINGHAM, Ala. — (SNS) — A Ku Klux Klan bombing threat prompted a Negro family to abandon a home Saturday after receiving the warning from a man who identified himself as an officer in the U. S. Government-outlawed infamous organization.

Willie German, insurance man, and his family had just moved into the house. The threat was made just before the chief building inspector arrived to order the Negroes to move.

The inspector told the family that the home is in an area zoned for white persons. It is located in the North Smithfield section, one block from where three Negroes homes were bombed several months ago.

German said the man who identified himself as a klan officer pointed at the plot where three Negro homes had been dynamited and said the same fate awaited his home if he didn't get out immediately.

From Where I Stand

Zoning Issue Still Sore Spot—Here's Possible Answer

BY VULCAN

THAT SMITHFIELD zoning problem still needs to be settled. I think Cooper, Bull and Jimmy probably are at rope's end on it.

There should be a buffer strip—separating the white and Negro residential areas out in North Smithfield.

Ole Vulc has been doing some wondering about the situation.

From where I stand up here on the mountain it looks as if a pretty good stretch of territory is there for working—but I don't think the City Commission can do it alone.

VULCAN

Why wouldn't it be a good idea to turn that area that's causing all the trouble over to the Housing Authority of the Birmingham district?

The Housing Authority could step in and put up much-needed housing units.

* * *

What We Need

BIRMINGHAM needs some public housing units—both for white people and for Negroes.

If the Housing Authority could come in and put up the new units in the area—it automatically would provide the sort of "buffer strip" that should satisfy reasonable people on all sides.

Truth is, of course, the Housing Authority may not want to step in. But I'm just wondering if it wouldn't serve a very good purpose.

Think I'll just mention it to Harold Harper and his board members and see what happens

* * *

Echoes In The Valley

FRANK W. DAVIES celebrates a birthday tomorrow. . . . Charles L. Harris, my Ensley insurance friend and Park Boarder, had Tom Brooks over for the Ensley Chamber of Commerce meeting today. . . . Tom's outlining an azalea project for Ensley. . . . Dr. Sidney Weinstein, the dentist—as a youngster living near Phelan Park he once had a collie, Princess, trailing his heels. . . . Dr. Leo Weinstein, also a dentist, was a footballer at Phillips High in the days of Fred Sington and Ben Chapman. . . . F. M. Jackson, Jr., is heading up that swell expansion program at Camp Cosby.

Alabama Colored Leaders Combat Racial Housing

BIRMINGHAM, Ala. (NNPA) — Colored property owners here have set in for an adamant stand in opposition to Birmingham's "illegal and unconstitutional" residential racial zoning ordinances.

July 8, the Justice Department City Hall said last week that that a federal grand jury the "peaceful solution" outside of be asked to look into the the law suggested by an all-white March 25 bombings in which three citizens advisory committee had colored homes, all unoccupied, to be delayed until August 1. The were dynamited; (2) white people reason assigned for the delay is were bidding on lots owned by col- that some key figures would be on persons in the disputed vacation and on Army duty until ored area," (3) the Birming- that time.

met last Sunday at Smithfield ham Property Owners Association THE PROPOSAL, designed to give to fortify its position. ments: (1) In Washington, D. C., the gloss of legality to Birming-

ham's "illegal and unconstitutional" racial zoning law, is to be a two-block "Negro buffer park" and to "rezone" an area from "white" to "Negro" residential zone.

It was learned from excellent sources that C. J. Greene, insurance man; A. G. Gaston, business man; C. W. Hayes, educator; Mrs. Ruth J. Jackson, beauty school operator; the Rev. H. B. Gibson, pastor of St. Paul Methodist Church; the Rev. J. L. Ware, pastor of Trinity Baptist Church; Robert L. Williams, cafe owner, and Mr. L. S. Gaillard, plumber, were asked to serve on the Jim Crow, "buffer park compromise committee."

Those interviewed said that they know nothing of any such committee. In every instance the contacted persons said that they would stand on the law as interpreted by the courts." Rev. Mr. Ware is vice president of the Birmingham branch of the NAACP and president of the Birmingham Baptist Ministers Conference. Both organizations are on record in opposition to the "buffer compromise."

In his semi-annual report July 7, to the membership meeting of the NAACP, Emory O. Jackson, branch secretary, praised the court decision knocking out Birmingham's racial zoning laws. He said that "these decisions alone justify continuous mass support of the NAACP". "We shall fight in the courts, in the pulpit, in the press, everywhere any attempt to stifle or compromise this great victory," he said. 1-23-09

Members of the Birmingham Protective Property Owners Association, headed by Robert F. Coar, have stood unmovable in their reiterated and insistant opposition to the various proposed schemes that would nullify the federal court decision rendering racial zoning laws illegal and restrictive covenants unenforceable.

38c 1949 California

Ground to be broken on interracial subdivision in San Fernando Valley, with world's first covenant against race restrictions

(38c) Los Angeles Tribune

Los Angeles Calif.

Before his death here five years ago, the father of Attorney Hugh E. Macbeth was wont to say, "Los Angeles is a city of magnificent distances." Next Sunday, May 15, his son and associates will demonstrate the wisdom of that observation when ground is broken on a subdivision in San Fernando Valley which will make the "magnificent distances" of Los Angeles available for the first time to minority groups. Sat-5-7-49

First subdivision in history to be covenanted AGAINST residential race restrictions, San Fernando Valley Vista Acres will demonstrate as well the philosophy of founder Macbeth that, "Judicial decrees attacking restrictive racial covenants are excellent as far as they go. But it is better to resettle in new homes than to engage in neighborhood strife in old communities saturated with personal hates and antagonisms . . . For when children meet next door to each other as babies, the battle of democracy is won at the level of the cradle."

San Fernando Valley Vista Acres is more than a demonstration of philosophies, however, as Macbeth points out. "It is good business and good housing."

On 20 acres, Modern American Housing, Inc., of which Attorney Macbeth is president, plans to build 100 FHA-approved, two and three-bedroom homes of modern design, fitted with such features as wall heaters, garages, with incinerators, clothes lines, shade trees, and shrubs on each lot. The lots range in price from $1350 to $1500, and at 54 x 116 feet each, are larger than the average lot. When the homes are completed, sidewalks, paved streets, curbs, and all city utilities will be in. Forty-five minutes by automobile from downtown Los Angeles and available by bus, San Fernando Valley Vista Acres is a part of the city of Los Angeles.

WITHIN SIGHT OF ENCINO

The subdivision is located in what is generally acknowledged as the healthiest part of Los Angeles, and within eyesight of the Encino district of the Valley which houses some of Los Angeles' wealthiest folk. Health of the climate is proved by the fact that the veterans hospital and Olive View Sanitarium are only a few miles from the tract.

Smog free, it is regarded as especially beneficial to suffers from sinus, asthma, and bronchial disorders.

A limited number of the homes is available at $7950, with the $1500 down payment including the lot, and with monthly payments not to exceed $50, taxes, interest, and insurance included. In addition to the homes, commercial property will be erected on 13 lots fronting Glen Oaks blvd., the eastern boundary of the tract.

According to Mr. Macbeth, all lots will be sold "in connection with a simultaneous contract for immediate construction."

A choice of five basic plans and elevations, with additional choices of paint and decoration, is provided by Modern American Housing, Inc., which has offices at Room 609, Lissner Bldg., 524 S. Spring, MA. 6-6044 or RE. 3-0588.

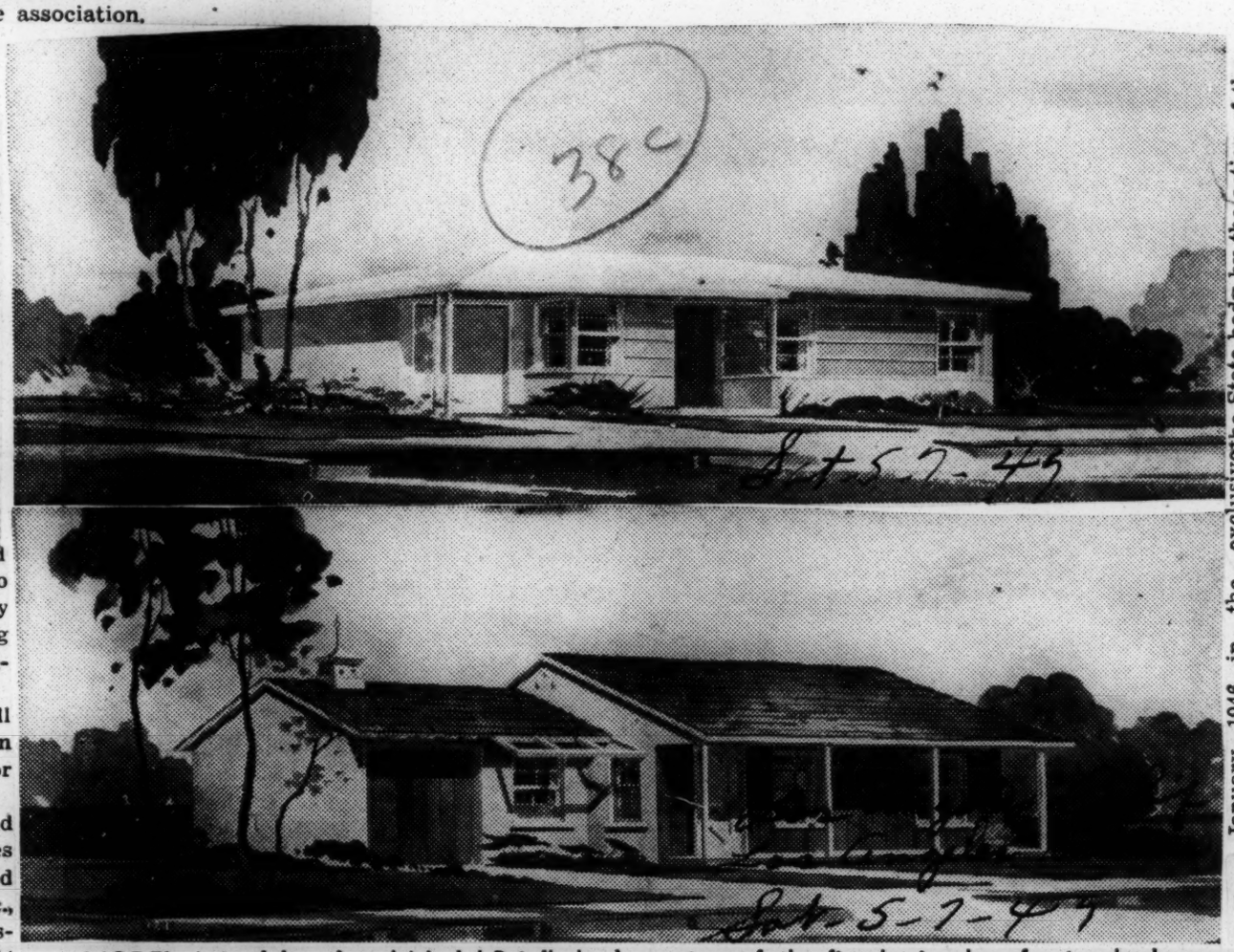
Macbeth said the subdivision will be under the watchful care of the San Fernando Valley Vista Improvement Asociation, which was incorporated last February, and whose officers include Negroes, an Italian, a Mexican, and other whites thus far. Sat. 5-7-49

"Beauty and upkeep of residences will be protected and advanced; the improvement of neighborhood and public facilities and social welfare of all residents from Hausen Dam to Laurel Canyon blvd. and from Roscoe, now Sun Valley, to San Fernando will receive unceasing and scientific cooperation," Macbeth said.

President of the association is Stanley McCurty, of 11227 Herrick ave., Pacoima, a Negro. Chairman of the board is Frank Speziale, an Italian, and the treasurer is P. M. Gomez, Mexican-American. All property owners in the subdivision automatically become members of the association.

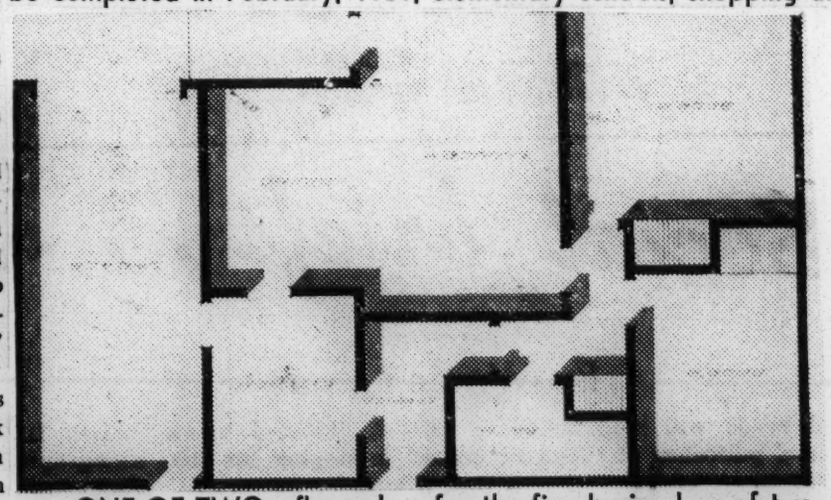
How to reach the tract . . .

From Los Angeles: Riverside drive to Hollywood Way, to San Fernando Road, to Van Nuys blvd. Turn right to Glen Oaks, left on Glen Oaks to tract. Groundbreaking May 15 is at 2 p.m.



MODEL A-1—(above) and Model B-1 (below) are two of the five basic plans for two-bedroom homes Modern American Housing, Inc. will build for as little as $7950 in San Fernando Valley Vista Acres, new interracial subdivision in San Fernando Valley. Numerous choices of paint and decorations are available, say builders. $1500-down payment includes lot. Sat-5-7-49

Home formerly sold for $10,000, say builders. Tract is near $4,500,000 high school, which will be completed in February, 1951, elementary schools, shopping and recreational centers. (see story)



ONE OF TWO—floor plans for the five basic plans of two-bedroom homes to be built on a new tract in San Fernando Val-

ley, for which ground will be broken next Sunday, May 15. Note the three entrances into garage, kitchen and living-dining rooms. Sat. 5-7-49

Victors In Covenant Fight

Chicago Defender

OAKLAND—Marking the first Courts of Appeals last week reghificant victory to be won here versed an edict of Judge Leon E. Gay, and granted Dr. and Mrs. Derice Dooling, the decision reversing the U. S. Supreme Court's decision outlawed Witt W. Buckingham the right to make the building decision outlawed Witt W. Buckingham the right to history making decision outlawed Witt W. Buckingham the right to restrictive covenants, the State occupy a home they purchased in

the exclusive the State body by the action of the January, 1946, in the United States Supreme Court Claremont Hights section of the which declared restrictive covenants unconstitutional.

Signed by Judges John T. Nourse, Julian Gooden and Maurice Dooling, the decision reversing Dr. Buckingham, former captain in the Medical Corps during World Judge Gay's ruling in favor of re-War II, is a prominent Bay area physician. His wife is considered the best dressed Negro woman in the whole San Francisco-Oakland Bay Area.

"The process of the State courts stated: "The process of the State courts cannot be used to enforce such restrictive covenant, stated: "The process of the State courts cannot be used to enforce such covenants." Additional principal impetus was given the action of

Honeymoon Cottage' Under Fire

Their occupancy of $30,000 "honeymoon house" protested by white neighbors.

Home Purchased In White Area Causes New Stir

By LIBBY CLARK
(Courier Los Angeles Bureau)

LOS ANGELES—Purchase of a $30,000 "honeymoon cottage" in an ultra exclusive Hollywood Hills district by William Watkins, nationally known sportsman and owner of the Watkins Hotel in this city, touched off protests by white neighbors, The Courier learned from reliable Hollywood sources.

The three-tiered eight-room residence of modern California design, sits on the crest of a hill at 8484 Harold Way, overlooking the Sunset Strip and a stone's throw from Ciro's famed movie colony night spot.

Despite the fact Travis Lott prominent Negro realtor, negotiated sale of the property, residents of the area assumed the Watkinses were Caucasian, sources said. Both Watkins and the former Bernice Elliot, whom he married a week ago are fair complexioned.

Contacted at his office for confirmation of the report, Lott said that if such protest had been lodged it was unofficial since no such information had been forthcoming to his office. He still has several other listings in the neighborhood.

Watkins was still on his honeymoon and could not be contacted for a statement.

Marriage of Watkins and the Oakland divorcee, considered one of California's prettiest women, was one of the top social events in Los Angeles of the season.

The couple was due to arrive in the city from Carmel and other northern points on Monday.

— "FORTIETH IN '50" —

MRS. WILLIAM WATKINS

WILLIAM WATKINS

tel Fails ove to Negroes

(Pittsburgh Courier Press Service)

WASHINGTON — Efforts the management of the oosevelt Hotel here to force egro members of the New ork inaugural delegation of the hotel failed last eek when the leaders of the ew York group steadfastly used to split up the dele-ation.

hen Judge Francis A. Mancuso Hugo Rogers, Tammany Hall ders in New York, threatened take the entire 300-man delega-out of the Roosevelt Hotel to sue for refund on advance rvations, the hotel relented and pted the eighteen Negro mem-of the group.

AY HOUSTON

describing the incident, Ne-delegates from New York ex-d bitter resentment at what termed "the compromising at-ude" of Judge William L. Hous-, Negro chairman of a special augural committee set up to dle Negro participation in the auguration. They accused Judge ouston of urging the Negroes to withdraw from the hotel and of counselling Judge Mancuso to split the delegation "to avoid any trouble."

Contacted by The Courier, Judge Houston admitted that he did ad-vise Raymond Jones, one of the Negro delegates, to take his group to a colored hotel and that he told Judge Mancuso that the incident might be embarrassing to the ad-ministration.

MIGHT HURT TRUMAN

Said Judge Houston:

"I told them that our family record would prove that we op-posed segregation and discrimina-tion. The hotel called me and told me that the Negroes refused to withdraw from the hotel and asked me if I would talk to them. I did. I told them that in this case their actions in forcing their way into the hotel might react unfavorably on President Truman's civil rights program and that the situation might furnish fuel for the Dixie-crats. I advised them not to stay in the Roosevelt Hotel even though they explained to me that the B. and O. Railroad had arranged their transportation and local ac-commodations."

However, the New Yorkers agreed to stay together and dis-regarded Judge Houston's advice. They remained in the Roosevelt but made no effort to conceal the fact that they considered Judge Houston's actions in behalf of the jim-crow policy at the hotel as contrary to the position they thought Negro leaders should take in such a situation.

DISPLEASED WITH HOUSTON

Other Washington observers ex-pressed, throughout the inaugura-tion, disapproval of Judge Hous-ton's actions as the leading Negro member of the inaugural commit-tee. It was reported that some liberal whites on the committee had expressed the conviction that "Mr. Houston is unsuited for this position." It is believed by these people that a much greater Negro participation in affairs would have been possible under different lead-ership.

Inadequate public relations and a lack of knowledge of the com-munity and of how to get things done were among the charges gen-erally levelled at the aged and usually respected lawyer here. Al-most all criticism of the inaugural ceremonies by colored Washing-tonians and visitors was directed at Mr. Houston.

When he first accepted the ap-pointment, Mr. Houston told re-porters that he expected to be the target of "brickbats" but that he believed it his duty to serve on the committee.

IN SEVERAL HOTELS

Meanwhile, Negroes registered and lived in several downtown Washington hotels without inci-dent. Edgar G. Brown and Dr. Theodore George were served in the main dining room of the May-flower Hotel in a pre-inaugural test of Washington's hospitality early last week.

Prior to the inauguration it was reported that the mixed Illinois delegation would stay together in the Roosevelt Hotel. However, Ne-gro members of the delegation stopped at the Dunbar Hotel while here.

WASHINGTON—While a white hotel was attempting to bar Ne-gro members of the New York delegation, a colored hotel opened its doors to a group of white people from Connecticut.

MOTIVE

ODIS von Blasingame, a colored news-advertising salesman in Washington moved into an all-white block and surly white residents stoned his house and threatened him. They held indignation meetings in the Parish Hall of a nearby Episcopal church until Bishop Dunn, at instigation of influential colored laymen, ordered them to find another meeting place.

Then they started calling on Blasingame, singly and in delegations, taking turns at ordering him to move and offering to buy him out at "what the property is worth." Odis, who has a keen sense of humor, refused to talk with them unless they would come inside, let him take their hats and coats, and sit down like ladies and gentlemen in his living room. Naturally they wanted to stand on the porch and talk.

As to offers to buy him out, he explained that as in the case of all other real estate sales in Washington, the past few years, he had probably paid four times what the property was actual-ly worth. He could not see his way clear to taking a 75 percent loss.

The other day a white resident of the block called him on the telephone to say that he was not with the rest of the prostes-tors and as proof said he would sell his own house to a colored buyer. Washington, and the pattern of changing neighborhoods being what they are, this raises the question of whether he is honestly aiding democracy or merely getting out ahead of what he considers an inevitable exodus of white residents.

LYRICS

By AL SMITH

Restrictive Covenants' Rule Set As Yardstick

BY JOHN BOOTH

WASHINGTON, — (INS)— The Federal Housing Administration announced Friday that in the fu-ture it will refuse to insure mortag-ages on new housing where discri-mination is practiced because of race, creed or color.

The agency's statement followed an announcement in New York by Colicitor General Philip B. Par-lman that a New National policy dealing with this issue is in the making.

Behind the move is a year-old Supreme Court ruling that Real-Es-tate covenants--agreements among private owners to restrict property ownership in their neighbors--are illegal.

FHA officials said that their agency and allothers dealing with housing, have been working since that time on a common policy which would be in line with the court's ruling.

In addition to FHA, Perlman also mentioned the Veterans Adminis-tration as an agency which will amend its housing regulations.

Perlman told the New York State Committee on discrimination in Housing that "President Truman has been working on this matter for some time and is most happy over the result of his efforts."

He reported that both the White House and the Justice Department dl tlw HMeL lations.htvaa regu worked with the other agencies in drafting the pending rules changes.

FHA said that "Full Notice" will be given of the time when the changes are to become effective. They will not be retroactive. An agency official said:

"We will not insure a mortage of any kind in which sale or rental discriminates against race color or creed."

FHA Admittedly has insured nu-merous mortagages in the past where restrictions on occupancy were based on alleged discriminatory practices.

But officials pointed out that this was before the supreme court in-validated convenants.

In 1948, the agency wrote mor-tgage contracts on more than 318,-000 Dwelling units. It was pointed out that numerous other applica-tions for insurance were either turn-ed down or withdrawn.

Perlman described the proposed change as follows:

"No property will be eligible for FHA mortgage insurance if, after a date to be specified in the (rules) amendment and before the FHA insured mortgage is recorded, there has been recorder a convenant ra-cially restricting the use or occu-pancy of the property."

Mystery Fire in Yard

Stones Greet Negroes Moving Into White Neighborhood Here

Two hours after a Negro family moved into a row house in a Northeast Washington white neighborhood, the house was stoned twice and a trash fire of undetermined origin was discovered in the back yard.

As result, a policeman was assigned yesterday to patrol the neighborhood of the house, 3303 Ames st. ne., in the River Terrace area, as a "precautionary measure."

Victim of the stoning was Odis Von Blasingame, an advertising salesman for the Afro-American, who moved into the Ames st. house with his wife, Georgetta, and 6-month-old son, Odis, jr., about 6:30 p. m. Saturday. They had formerly lived at 3750 Grant st. ne.

The Blasingames reported that two windows were broken in the second barrage of stones.

Mrs. Blasingame said the first pleasure came about half an hour after they had moved their furniture into the house.

"I was standing at the front window with my baby, and a friend (Mrs. John Payne of 31 47th st. se.)," she said, "when a man from 3301 ran across the porch to 3305. Then he and a man from that house came and looked in our window.

"I asked them if they would like to come in. They didn't reply, but walked off the porch with one of them saying, 'I see niggers are moving in.'"

A short time later, she said, a group of seven or eight men congregated on the lawn of 3301 Ames st., a corner house, and stayed there until it got dark, then they left.

The Blasingames and Paynes were in the basement fixing the refrigerator when a trash fire by the backyard picket fence was discovered.

When Blasingame rushed out with a pail of water to extinguish it, a couple of men standing on the corner shouted "Hit him, hit him," Mrs. Blasingame said, and the sound of rocks were heard against the house.

The fire department was summoned, and came so quickly, she said, that someone else must have put a call in, too.

Just as the fire department was leaving the rear of the house and policemen were ringing the front doorbell, more stones were heard against the back of the house. A window on the first floor and another on the second were broken.

It was the first of several calls by police that night, Blasingame said, and they were told that a squad car would pass the house regularly that night and a patrolman would be assigned to the neighborhood.

Sunday morning Police Inspector George R. Wallrodt visited them, Blasingame said, and told them that in addition to the patrolman he would have two plain-clothesmen in the neighborhood. He said police also would try to determine who had broken the windows.

In between visits from the police Saturday night, Blasingame said, they had two other callers: a man who gave his name as Sylvester and a woman who said she was Mrs. Fraser of 3351 Clay place.

They said there had been a citizens' meeting; they had decided they were not going to sell their homes and had come to inquire if the Blasingames would sell, Blasingame said.

"I said we would sell, but at a profit," he said, and the meeting ended on that note.

Mrs. Fraser, he added, "said the KKK was in the neighborhood, but she did not know any members of the organization. She said she had seen crosses burned on Clay place."

Blasingame is a graduate of a South Carolina college, according to his wife, who said she had attended junior college in Chicago for two years.

George Shupp, 3301 Ames st., who said his occupation was construction supervisor, declared the first he had known of Negroes moving into the adjoining house was when he saw them.

He said he knew nothing about the cause of the fire, or the stoning, but had notified the fire department when he saw the fire.

Shupp and Edward P. Klepac, a police private of 3305 Ames st., have occupied their houses since they were built about seven years ago.

Klepac also said he did not know that Negroes were to occupy the house between him and Shupp until after the Blasingames had moved in. Earlier, he said, he had been busy bringing his wife and infant son, John Edward, home from the hospital.

Both Klepac and Shupp said they attended a hastily called meeting of the Citizens Association of River Terrace Saturday night at the River Terrace Church House, 415 34th st. ne.

No action was taken at the meeting, Shupp said, because the president, Robert F. Tibbets of 3333 Blaine st. ne., was not present, but two members had volunteered to visit the Blasingames and "find out their attitude."

Shupp estimated that until the Burlingames moved into the Ames street house the nearest Negroes lived "about 20 blocks" away. Klepac, a private at the Second Precinct, thought the nearest Negro residences were "a couple of miles" away.

Blasingame hedged on identifying the seller of the house, but said "he (the seller) is doing what everyone else is doing, selling to the highest bidder."

Home Stoned in Nation's Capital

WASHINGTON—The home of Odis von Blasingame, Washington newspaperman, was stoned Monday just two hours after he and his family moved into the building. The house is located in a so-called "white" neighborhood.

Threat of Suit Alters Movie Chain's Policy

INDIANAPOLIS (ANP) — Quick on the spot action by the Rev. Clarence T. R. Nelson here last week brought an end to the jim-crow policy of the Marcus Theatre Chain in this city.

This change of policy on the part of the owner, M. Marcus, was started after the Rev. Nelson nad begun to file suit, and the NAACP had joined forces with him. Agreement to call off the suit came after a conference which included the Rev. Mr. Nelson, Chief of Police Edward D. Rouls and an NAACP delegation.

The incident causing the action happened last week when first a cashier at the Ritz Theatre, not far from the Rev. Mr. Nelson's home, refused to sell him a ticket. Then 200-pound manager, Al Yohe, blocked him out of the line.

Accompanied by Wife

The Rev. Mr. Nelson, who is executive secretary of the Lexington Conference Board of Education, and the Methodist Episcopal Church, was accompanied by his wife at the time. Two policemen also encouraged him not to insist on his rights in trying to get into the theatre, though he had attended the place before.

When the minister continued to press for action during the coming week the owner agreed that colored citizens will be admitted to his chain including the Ritz, Zaring Egyptian, Ambassador and Alamo theatres.

NAACP delegates meeting with the police chief were Willard B. Rayson, Andrew W. Ramsey and Mrs. Jessie Jacob.

because Dr. Bunche was then involved in very delicate negotiations in the Israel-Arab dispute. He said the Institute felt that sensational publicity of this kind might react unfavorably or be distasteful to the mediator.

According to Mr. Marsh, the Middle East Institute last December reserved the banquet room at the Wardman Park for a March 4 meeting. The hotel accepted a deposit and assigned the room to the Institute for the date in question. To avoid the possibility of any last-minute embarrassment, Mr. Marsh advised the management, by letter and through conversation, that the principal speaker was to be a Negro, Dr. Bunche.

Though the letter was never answered, Mr. Marsh was called by Henry Parrish, hotel manager, and told that under the circumstances the hotel would cancel the reservation. Mr. Marsh received a refund on the deposit.

Mr. Parrish was not in when The Courier called the hotel and Mr. McMurtaugh, assistant manager, disavowed any knowledge of the incident. However, he admitted that the hotel's policy had "in the past" barred Negroes.

Because the negotiations on Rhodes kept Dr. Bunche in Europe past the March 4 date, he was unable to attend the meeting anyway. The Middle East Institute, a non-profit organization interested in bettering understanding between the people of the United States and the Middle East countries, is planning to invite Dr. Bunche to address them sometimes later this year.

Bias in U.S. Capital Floors Democracy

(Pittsburgh Courier Press Service)

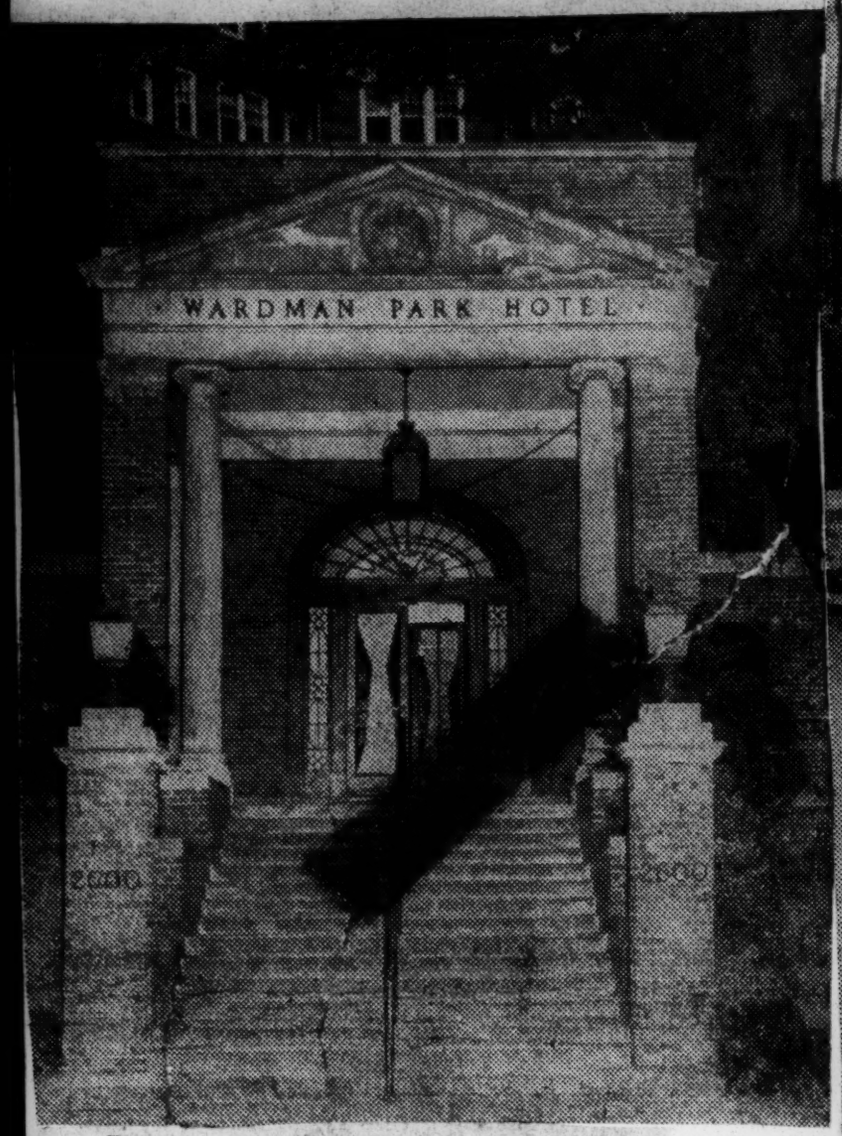
WASHINGTON—Dr. Ralph Bunche, United Nation's Pa... who has won world-wide acceptance, is not acceptable to th... one of the largest hotels in the Capital of his country. This ... this week when the assistant manager of the Wardman Park H... tier that "in the past we have not had Negroes in this hotel," ...otel's policy.

Meanwhile, John Marsh, ... executive secretary of the Middle East Institute here ... confirmed a report, which ... learned last Friday in the ...

Drew Pearson's column, to the effect that the Wardman Park refused to let the Insti- Mr. Marsh, ... of the incident, pointed out that ... tute use one of its banquet ... rooms for a meeting at which ... Dr. Bunche was to have been ... the principal speaker.

The hotel ... months ago, ... light last w... there had ... press the s... but that ... initiate pub... the time th...

This Is the Hotel



Entrance to Wardman Park Hotel

The Housing War of Attrition Goes On

Above, in top photo, is shown the 3300 block of Ames St., N.E., in Washington, where the Odis von Blasingames have been annoyed by resentful whites who have opposed their "invasion" of the all-white area since they moved in April 1. The nearest colored settlement is about a mile away. The arrow points to the Blasingame home. It is believed that the series of disturbances is the work of two or three residents of the community. In the oval are Mr. and Mrs. Odis von Blasingame and their baby. The lower photo shows a partition erected on a neighbor's porch at 3305 Ames St., N.E., by a resident who resented the Blasingames' presence in the all-white community. The occupant was Edward Klepac, a member of the Metropolitan police department. After constructing the partition, he moved.

Intolerance of River Terrace Residents Reminiscent of Play, 'On Whitman Ave.'

The Afro-American, Baltimore, Md. Sat. 6-25-49

Presence of Von Blasingames in So-Called White Community Stirs Area Resentment

By AL SWEENEY

WASHINGTON

All of the drama and shocking realism of Canada Lee's Broadway production of "On Whitman Avenue," unveiling racial intolerance in America which many thought was pure fiction, has come to life in Washington's River Terrace Area.

"On Whitman Avenue" closed on Oct. 5, 1946, after a four-month run. The real life version of the play was revived in the District on April 2, when Odis Von Blasingame moved his family into the all-white development of River Terrace.

In the play, the problem of covenants and racial bigotry was brought out, when a suburban family, the Tildens, rented a room to a colored family, the Bennetts.

When the minority family moved into the top floor kitchenette the white neighbors decided to take matters into their own hands. They pestered the Tilden family with all types of insults and threats and finally, the Bennett family had to move.

Blasingame Upheld by Court

In the living version of the play, Blasingame has moved into a home, which he purchased 11 months after the United States Supreme Court by a unanimous verdict of a 6 to 0 upheld the right of any citizen to live anywhere.

The court decision was announced on May 3, 1948, as the result of a request made by the Government through Solicitor General Philip B. Perlman.

Blasingame, an advertising solicitor for the Washington AFRO, admits that he anticipated a little resentment when he first moved into the dwelling but thought it would die out.

However, he has been residing at 3303 Ames St., N.E., for 55 days and it seems that certain interests intend to harass him until he gives up.

24-Hour Guard Required

Shortly after he moved to his home on April 2, he had to call the fire department to put out a grass fire started in his backyard and a little later had to call the police department because vandals broke out two windows in his house.

Captain William Murphy of the 14th police precinct then assigned a 24-hour beat around the Blasingame home. There was no further overt violence, as long as the policeman kept a viligant watch over the property.

However, Blasingame's telephone was kept busy by anonymous callers, who made insulting remarks and threats of violence to him and his family if they did not vacate the area.

Car Slashed, Phone Wire Cut

On May 20, it is said, the police patrol around the Blasingame home was withdrawn because it was felt that all was quiet. However, within 8 hours after the vigil was no longer maintained, the adman's Ford top was slashed and his telephone wire severed.

Captain Murphy, it was reported, was astounded, because no person outside of the department should have known that the protection had been withdrawn.

A week before this incident, Blasingame revealed that his car had been cut, but he did not report the matter to the police.

The series of annoyances was capped by the classified advertising which was placed in Sunday's papers. Sat. 6-25-49

Notices were placed in all three papers, the Post, The Times-Herald and the Star, listing a home for sale at $7,500, a 1935 Ford for sale at $100 and general housekeeper wanted at a salary of $40 per week.

Besieged by Callers

The caller said he was Mr. Blasingame, gave the correct phone number but a fictitious address. After the publications hit the streets he was besieged with numerous telephone calls beginning early in the morning until late at night. Twelve persons appeared in person in quest of the housekeeper's job.

It has become obvious by now that some person or persons in the area are determined to drive the Blasingame family out of the development.

The police department says that they have extended the family all the protection possible. Detectives are said to be working on the case in an effort to uncover the parties behind the whole scheme.

Association Leaders Blamed

Blasingame believes that the parties guilty for keeping up the annoying acts can be found among the leaders of the River Terrace Citizens Association who held a "call" meeting on April 2, the day he moved in, to discuss ways and means to drive him from the area.

Joseph F. St. Peter, 3314 Ames St., N.E., was appointed head of a six-man committee at the meeting to investigate the situation. Blasingame suspects that St. Peter still resents his presence in the neighborhood.

Edward Klepac, a member of the Metropolitan Police Department, showing his attitude toward his colored neighbors threw up a crudely constructed petition on his porch, which adjoins that of Blasingame's. Shortly after building the petition, he moved.

A number of citizens feel that some action should be taken by the Federal Government to unmask the leaders and the agitators of the plot designed to drive the Blasingame family out of the area.

The dwelling of the Blasingames is about 7-years-old and sold for about $4,700, when it was new. The residents of River Terrace could be considered among the lower middle class group of whites.

The nearest area inhabited by colored to the Blasingame home is approximately two miles away.

Houston Interested

Charles Houston, noted civil rights lawyer and one of the legal minds heard by the Supreme Court in the covenant case, has asked Blasingame to submit a full report of the annoying incidents in order that he might study what legal action can be taken to put an end to these disturbances.

As he points out, the Supreme Court has given all people the right to live where they please and that it is up to all people to recognize that right.

Protest Refusal Of Hotel Accommodations

Daily World, Atlanta, Ga.

WASHINGTON, D. C.—(NNPA)—A Republican Senator and a Democratic national committeeman joined together last Wednesday in protesting the refusal of hotel accommodations to colored delegates to national conventions held in the District of Columbia. Sun. 7-10-49

The Senator was Wayne Morse, Republican, of Oregon, who brought to the attention of the Senate last Wednesday a letter he received from Monroe Sweetland, Democratic National Committeeman for Oregon, asking the Senator to protest to the Washington Hotel Association the denial of service to colored persons.

"I am very happy to join with the Democratic National Committeeman of my State in his protest in regard to the handling of colored delegates to national conventions and conferences held in the District of Columbia," said Senator Morse. Sun. 7-10-49

"In fact," he added, "I am glad to use his letter as another opportunity to protest the unfair discrimination which Negroes are subjected to in the nation's capitol."

LETTER FORWARDED

Senator Morse forwarded Mr. Sweetland's letter to Frank E. Weakly, president of the Hotel Association of Washington, with a covering letter in which the Oregon Senator said while he fully appreciated the problems Mr. Sweetland's letter raised for Washington hotels, "nevertheless I think the premises which he sets forth in his letter are sound and unanswerable."

The Willard Hotel was praised by Senator Morse in both his remarks on the Senate floor and his letter to Mr. Weakly. Senator Morse said he had attended several conference dinners at the Willard, at which colored persons were present, and he thought the Willard was entitled to "high praise and commendation for the way it has handled such dinners." Sun. 7-10-49 Sun

Senator Morse told the Senate that "As a Republican, I am always glad when I can join with a Democratic official in support of any policy as basically sound and American as is the policy which Mr. Sweetland has recommended in his communication to me."

Mr. Sweetland wrote Senator Morse as follows:

"The years are going by, and although hotel policy has changed greatly in most other major cities of the Nation, the hotels in the Nation's capitol still cling to the ancient policy of prejudice and discrimination against Negro visitors. I know that you have done much to try to improve the relationship between the races, but I wondered if you would forward my protest against this situation to the officials of the Washington Hotel Association.

INCONVENIENCE CITED

"Would you please point out to those who set the policy of hotels in the capitol that their policy is a source of great inconvenience and difficulty to many of us throughout the country when we come to Washington, and we naturally resent it. I not only resent this policy as un-American and unwholesome, and for all the reasons based on decent relationships among Americans in general, but because it handicaps our work so badly while we are there. 7-10-49 Sun

"This policy makes extremely difficult the normal association with Government officials and personal friends who happen to be Negroes. If I wish to save time by doing business over the lunch table, as I always try to do, we always have to consider whether there is a Negro or two in the conference—if so, we have to make special arrangements. If there are Negro members of our delegations on labor or religious or political problems, as there frequently are, it requires a whole set of special arrangements to stay near each other, to meet or eat together, or carry on our regular activities while there.

"In most cities outside the deep South, as you know, hotels are now ready to serve all delegates to conventions and all with whom business is to be transacted, without racial discrimination. It is outrageous that this policy is still tolerated by the proprietors in the Nation's Capitol."

Racial Expert To Advise D.C. On Pool Policy

Dr. Joseph D. Lohman, University of Chicago sociologist and race relations specialist, will arrive here today to advise Interior Department officials trying to solve the District swimming pool problem.

Dr. Lohman

Dr. Lohman, who directed the staff work in last year's National Committee on Segregation in the Nation's Capital, was invited to come by officials of the Interior Department's National Park Service, a spokesman said.

He is expected to hold seminars with policemen, Park and District recreation officials, newspapermen and others on the local race relations situation. He probably will make recommendations during seminars, an official said.

Closed After Disturbances

Mixed swimming has taken place this summer at Anacostia and McKinley pools, and racial disturbances at Anacostia caused Secretary of the Interior J. A. Krug to close that pool on June 29. Anacostia has remained closed up to the present while Interior and District Recreation Board officials have been negotiating over future segregation policy in the six District public pools. There are prospects that the differences between them may be settled this week.

Dr. Lohman is expected to be here about a week. He was invited to come after Edward J. Kelly, assistant to the superintendent of National Capital Parks, and Police Capt. Mark Raspberry went to Chicago to talk with him and several officials. Dr. Lohman is an unofficial race relations adviser for the city. He has done this work in other cities also, including Gary, Ind.

Chicago System Discussed

They conferred also on how Chi-

cago handles race relations in recreation with Chicago police, the mayor and members of the city council, recreation officials and members of the Chicago Park District Commission.

Dr. Lohman was formerly associate director for race relations of the Julius Rosenwald Fund.

Meanwhile, Secretary Krug will be presented today with a "compromise proposal" on the terms of the proposed taking over of the pools by the District Recreation Board.

District board members and Interior officials met Friday and worked out the proposal, which has not been made public.

The deadlock has been over the Recreation Board's contention that it will not take over the pools except on its own terms, including segregation of the pools into four for whites and two for Negroes.

Krug, however, has stated he would permit "no backward step," apparently meaning he would not permit the board to require segregation at the Anacostia and McKinley swimming pools.

Washington Hotels Ease Ban After Jersey Slap

Governor Driscoll Tells AME's School

Boycott Forced Some to Adopt New Policy

NEW YORK—Since the New Jersey State Board of Education issued an order to school districts forbidding sending senior classes on pilgrimages in which they would be segregated because of custom and law, some Washington hotels have agreed to forget their color bar.

This statement was made by Gov. Alfred E. Driscoll last Thursday when he addressed the AME First District Chautauqua at Bethel Church here.

Bishop D. Ward Nichols told the gathering that Governor Driscoll was invited to speak because he is "an individual capable, willing and able to set the trend for the people, even of the New York and other areas in our great Amer[illegible]."

Jersey Acts, Capital Talks

While asserting that Washington was best known for "talking" civil rights while New Jersey was "acting," Mr. Driscoll declared:

"Even Washington is showing respect for New Jersey's civil rights program. New Jersey has moved South."

The governor told how he began his civil rights program by liberalizing and streamlining the State Constitution, and then attacking the whole problem of segregation and discrimination through legislation, broadening the powers of the Division Against Discrimination, and by Executive action.

Right Thing to Do

He declared:

"We have taken our stand on civil rights, not because it is politically expedient, but because it is the moral and right thing to do; and

"Very frankly, win lose or draw, we believe in these things and have been working for them in New Jersey."

The governor, running for reelection in November, reminded his hearers that there are people all over the country asking themselves whether he can command a vote of confidence.

Assured of Support

He appealed for help to continue his program of working with others for the dignity of mankind.

Bishop Nichols' assurance to the governor that he would receive "vote of confidence," from the voters set off a demonstration by the audience.

Mrs. Kay B. Nichols, wife of the Bishop, presented Mrs. Driscoll to the group.

Explanation Of An Order

Ever since last Friday, when the government announced new policies relating to FHA financing of building projects containing restrictive covenants, there has been a lot of confused thinking. It has not been confined by any means to the general public. The building industry has not known what to expect. Nor have FHA officials been wholly clear in their explanations.

The commissioner of the Federal Housing Administration, Franklin D. Richards, sent an explanatory statement Monday to all FHA field offices. It has helped to clarify the situation.

Now some facts stand out as certain. They tend to indicate that the outbursts of certain Southern spokesmen were at least premature.

The first fact that is quite clear is that the new orders do not affect the plans and the work of the Public Housing Administration. That agency, a part of the Housing and Home Finance Agency over which Raymond M. Foley presides (as is also the Federal Housing Administration), is entirely separate from the FHA. The two organizations are independent of each other, and an order affecting one does not affect the other. That point is emphasized by the statement of Col. Harold Harper, executive director of the Housing Authority of the Birmingham District. He points out that plans for the construction in Birmingham of 2,000 units of public housing for Negroes and 1,000 units for white persons are unaffected. Indeed, this project came one step nearer realization Tuesday when the City Commission of Birmingham voted approval of an application by the Birmingham Authority for a preliminary loan of $450,000 from the PHA. It would cover cost of surveys and plans for the units proposed for which the government has already earmarked funds.

The second fact that is clear is that the amendments will not affect the securing of loans on property on which restrictive covenants are now in effect or on which they will be put in effect before the new rules are promulgated. That statement means, for instance, that if you have owned a lot in an area where restrictive covenants are part of the deed, you will not be denied the benefit of FHA financing at any future time should you decide to build a home on that lot several years hence. Nor would any other person who purchased the lot from you at a future date with the intention of building an FHA-financed house thereon.

* * *

What the government of the United States is saying is that it is trying to bring FHA practices into line with the law of the land. The action was taken, it is declared, to make FHA policies consistent with recent Supreme Court decisions which held that, although individuals are free to make restrictive covenants, government support of them is contrary to the public policy of the United States and cannot be enforced by state or federal courts. However, some lawyers suggest that anyone who deliberately disregards such a voluntary stipulation may possibly be legally liable.

Thus the government is putting into practice specific rules intended to bring its actions in line with the Supreme Court's decision. It is now saying to citizens who will in the future seek FHA-guaranteed loans that the recently announced amendments will apply to properties on which racially restricted covenants are filed of record after the effective date. That date has not yet been set. It will certainly be 60, more likely 90, possibly 120 days from now, and notice will be given as to the effective date. Mr. Richards' explanation is very specific on these matters. Furthermore, it contains the following reassuring sentence: "These amendments do not attempt to control any owner in determining what tenants he shall have or to whom he shall sell his property."

* * *

On careful consideration of what the amendments mean, we can see that they may have, as Mr. Richards states, a relatively small effect on the activities of the FHA. If they are retained in force, there will come a time when the FHA will not guarantee a loan on property newly restricted on a racial basis. But the Supreme Court has already ruled such restrictions unenforceable, and the South's traditions have not thereby been destroyed. Since that decision, most landlords and sales agents do not file restrictive covenants but keep them alive as "gentlemen's agreements." The important fact is that so far as the maintenance of Southern traditions is concerned, they work.

No great social revolution seems impending as a result of the new regulations. Attempts to compel changes in traditional Southern living conditions will be resolutely opposed by a deep Southern sentiment. It is earnestly to be hoped that this is not an attempt to force an imposed solution of delicate problems.

Mortgage Bankers Told—

Racial Clause In FHA Loans Effective Feb. 15

Deadline for obtaining FHA-insured loans under present regulations is Feb. 15.

The new regulations barring such loans where covenants are made restricting use of the property on the basis of race, creed or color go into effect after that time, J. Hudson Barker, chief underwriter for the Federal Housing Administration in Alabama, told the Mortgage Bankers Association of Birmingham yesterday.

Mr. Barker said similar rules will be made by the Veterans Administration on loans.

Mr. Barker said the FHA there has 700 subdivisions on file with restrictions as to race or color.

From a practical point of view, he continued, the new rules "won't affect FHA operations."

"It's one of those things everybody concerned will learn to accommodate themselves to," he said.

* * *

FRED FOY, Alabama manager of the Reconstruction Finance Corporation, said Eastern banks are showing interest in buying FHA-insured loans on Southern home and apartment projects.

He said bank laws in many Eastern and Northern states prohibited banks of those states from buying mortgages outside their respective states for many years. But those laws have been changed in recent months to permit purchase outside the borders of the states concerned.

So a flood of Eastern money may be expected in Alabama and adjoining states for the purchase of mortgages on real estate in the coming months, he said.

Mr. Foy said banks over the state now are turning down loans on real estate "that they would have made six months ago." He said the RFC was buying many such mortgages now that banks were handling formerly.

"WE HAVE $41,000,000 of loans on mortgages and business outstanding in Alabama," Mr. Foy said.

Since Oct. 26, 15 more banks in Alabama have qualified to do business with RFC, he said.

William Hulsey, real estate man, a visitor at the luncheon meeting, was asked his opinion about the outlook for business during the coming year.

"The outlook for everything seems good," he said.

His brother, Carl Hulsey, is president of the association.

Racial Ban On Housing Begins Feb. 15

FHA, VA Announce Date For New Order On Covenants Issue

WASHINGTON, Dec. 15—(AP)—New government housing regulations curbing the use of restrictive covenants will go into effect Feb. 15.

Such covenants bar sale or rent of buildings to people of certain races or creeds.

The effective date was announced today by the Federal Housing Administration and the Veterans Administration which guarantee home mortgages to encourage building.

FHA and VA mortgage guarantees will be denied in any case where a covenant is filed in public records after Feb. 15.

Covenants and loans prior to Feb. 16 are not affected.

Court Followed

Both FHA and VA statements said the action was in line with recent Supreme Court action frowning on racial covenants. VA said:

The court held that such covenants are contrary to public policy and are not sustainable (enforceable) by action in the federal courts."

An FHA spokesman reiterated a previous announcement that in actuality, the changes will not attempt to control any owner in determining what tenants he shall have or to whom he shall sell his property.

FHA's legally-worded documents covered ten typewritten pager which boiled down to three basic points:

1—Mortgages will not be guaranteed by FHA after Feb. 15 if, after that date, a "restriction upon the sale or occupancy of the mortgaged property, on the basis of race, color or creed, has been filed of record."

2—If a loan receives an FHA guarantee, the mortgagor must certify that—"until the mortgage has been paid in full"—he will not file for record any racial restriction on use or sale of the property.

3—Should a mortgagor violate the anti-discrimination rules, after receiving an FHA-guaranteed loan under the new provisions, the entire unpaid mortgage would be "immediately due and payable."

High administration quarters felt the anti-segregation measure would ultimately—if not in the immediate future— have more widespread application than now outlined by FHA.

EQUALITY IN HOUSING

The Administration has finally taken a long-delayed step to stop the widespread use of racial restrictive covenants. The Federal Housing Administration has announced that after a specified date it will refuse to aid the financing of any properties if a covenant racially restricting the use or occupancy of the property has been recorded. At the same time the Housing and Home Finance Administration has issued a new regulation for Slum Clearance and Urban Redevelopment that goes even farther. It prohibits the placing of any covenant on land sold or leased by local public agencies for redevelopment purposes that restricts the sale or occupancy of the property on the basis of race, color or creed.

Although both regulations are in accord with the 1948 decision of the Supreme Court that restrictive covenants cannot be enforced in the courts, Southern real-estate interests and Congressmen have assailed the policy as "Truman's most ruthless, tyrannical act."

Jack Helm, executive vice-president of the Home Builders' Association of New Orleans, said, "I don't know how it's going to apply down here. We're building homes for white people. Do they expect us to sell them to Negroes, too?" The confusion was so great that FHA Commissioner Franklin D. Richards issued a clarifying statement that the new regulations will not affect covenants now on record; it simply bars builders from signing written agreements restricting tenants.

Some 300 housing experts at a conference of the New York State Committee on Discrimination in Housing last week passed a resolution urging the FHA to go beyond the new policy and refuse aid to any housing project which practises discrimination, even though no restrictive agreement is on file. The resolution declared that discrimination "by gentleman's agreement" should not receive federal support.

Actually, it was the National Association for the Advancement of Colored People that started the ball rolling with a letter to President Truman last February charging the FHA with lending "its full support" to the perpetuation of "black ghettos." White House, FHA and NAACP representatives met together to work out the new policy. Thurgood Marshall, attorney for the NAACP, who sat in on some of the conferences, said the new regulation is "a terrific step forward," but added that the next step is to have the FHA declare it will make no loans unless the borrower pledges non-discriminatory use of his property. The Negro groups would like the FHA to follow the lead of Nathaniel S. Keith, federal director of slum clearance and urban redevelopment, who announced that from now on federal funds for slum clearance will be denied public agencies if the slum area is to be redeveloped on a covenanted basis.

U. S. Halts FHA Loans On Segregated Projects; Hill & Starke Hit Move

Action Termed Illegal, Blow At South

President Truman's ban on Federal Housing Administration loans to build "racially restricted properties" evoked sharp words from Senator Lister Hill and predictions of utter confusion from the president of the Montgomery Real Estate Board last night.

Hill said here that neither the President nor the FHA administrator has legal authority to withhold loans for racially restricted properties.

George C. Starke, the real estate board president, said the Truman ban makes it practically impossible to tell a person here whether he can get an FHA or GI loan on a piece of property. He viewed it as a case of "hitting the South under the belt."

At New York Gov. James E. Folsom last night declined to comment on the government's anti-discrimination policy in federally backed housing. He was in New York to attend the Democratic party's Jefferson Day dinner.

The city of Montgomery unlike Birmingham—has no law requiring residential segregation of races, and the City Planning Commission has repeatedly refused to base its approval or disapproval of a project or building on the question of what race it was to serve.

Many sale contracts carry covenants restricting the occupancy of the property involved, either to whites or Negroes. The U. S. Supreme Court, however, has held these invalid.

Defeated Amendment

Hill asserted last night:

"The Senate, during the past session of Congress, at my insistence and that of other southern senators, defeated an amendment to place a so-called civil rights provision in the housing act.

"The Administrator of the Act has no power to prescribe such a provision. I shall oppose, with all the power at my command, any attempt to impose any such provision."

Starke said that, from what he has read, it will be practically impossible to satisfy a client as to whether he will be able to get a G. I. or F.H.A. loan on a piece of property.

Most Restricted

"Most of the subdivisions we deal with are put on record as being restricted to members of the Caucasian race. It (the provision) will throw a monkey wrench, particularly, into existing subdivisions where white people are living or planning to build.

"Either the restriction (as to white tenancy) must be removed or we can't build any more white housing under the F.H.A. and G.I. loans.

Another Problem

Starke also commented that government fore losures poses another problem. There have been and will continue to be, he said, cases where the government has to step in and take over property when the owner can't meet payments.

"What is to prevent the government from selling houses to Negroes in white neighborhoods?"

The big government-financed apartment projects might be subject to the same thing, Starke said.

"The government may have to foreclose on some of these and rent them out to anybody. Negroes can't be kept out under the ruling as I understand it, even though it is an all-white project."

In referring to the authority under which the FHA makes its regulations, such as the provision just announced, Starke said nobody he has ever talked to ever found any law giving them such power.

Autocratic Body

"It seems to be an autocratic body which can do pretty much as it pleases.

"I think it is simply a case of hitting the South under the belt . . . a political move to insure the Negro vote in future elections."

Abner C. Johnson, Alabama FHA director, said in Birmingham he has not yet been informed of new rule, but added: "I don't think the new rule will affect us down here, in the final analysis."

Segregation in Birmingham is by city ordinance, but a petition contending the zoning law is unconstitutional is now pending in U. S. District Court.

A spokesman for the Little Rock Real Estate Board said: "Ninety-nine per cent of South would be affected if the new ruling would prohibit FHA financing on already restricted property . . . it would just about ruin everything. But if the new ruling pertains only to property not already restricted it will have very little effect in Arknasas as most of land in Arkansas is already restricted."

Dixie Alarmed By Overruling Of Congress

ATLANTA, Dec. 2—A South that segregates housing for Negroes largely by custom rather than law viewed a Federal crackdown on separate housing today with alarm.

The government's plan to halt federal aid for housing projects that bar tenants because of color or creed brought some doubt that it would work.

But the consensus in Dixie pointed to the traditional policy of segregation.

Sen. Walter George (D-Ga) said he had anticipated the move for some time and added:

"I think that hereafter all other federal appropriations will be based on the same principle."

Turning to housing and slum clearance, he commented, "I don't see how I can support any of these programs when the expressed policy of this administration is predicated on the violation of state law.

Congress May Balk

"The move will seriously cripple public housing. The administration has undertaken to do what Congress has steadfastly refused to do."

Then the senator, who heads the powerful Senate Finance Committee, said, "Tying such conditions to appropriations will certainly make it more difficult to get any appropriations measure through Congress."

Hal Powell, director of the Augusta, Ga., Housing Authority, declared, "We do not intend to mix the races."

He indicated that if the FHA order is mandatory Augusta's application for federal housing units would be cancelled.

He went a step further and predicted that all future housing projects likely would be cancelled in Southern cities.

Morrison I. Taylor, president of the Jacksonville Board of Realtors, said his city "is not in line for any public housing and I am glad to say the city didn't take any action to get in line for the money."

Atlanta's Mayor William Hartsfield felt sure "today's order has no reference to anything of a municipal nature."

Most Building For Negroes

"Should the order affect the Federal Public Housing Authority, it would do grievous damage to the Negroes who most need public housing."

One spokesman pointed out that more than 50 per cent of the PHA's housing projects in the South has been for Negroes.

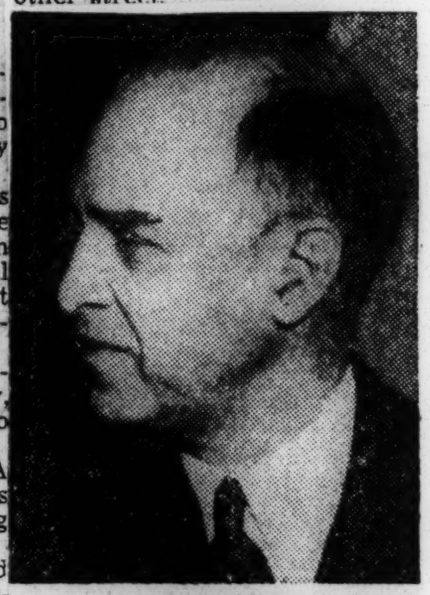
A spokesman for the Little Rock Real Estate Board had this to say:

"Ninety-nine per cent of the South would be affected if the new ruling would prohibit FHA financing on already restricted property. . . . It would just about ruin everything."

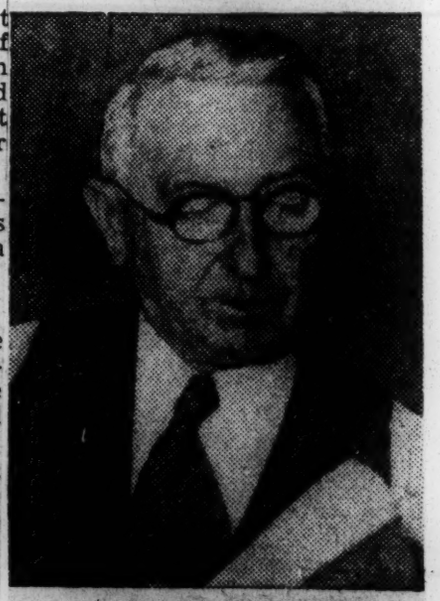
The federal government's insistence on equal facilities and state requirements on separate housing for Negroes already has resulted in at least one compromise.

Columbia, S. C., has a housing project known as University Homes—half white and half Negro.

A building for Negroes faces one street. Back-toback with it is a building for whites facing another street.



SENATOR HILL
It's Illegal



SENATOR GEORGE
Will Cripple Housing

Truman Okehs New Policy; GIs Hit

KEY WEST, FLA., Dec. 2 — (AP) —President Truman reopened the explosive civil rights issue here today with White House decalaration of a policy denying further Federal Housing Administration financing to any "racially restricted properties."

From his vacation headquarters in this southernmost city, he fixed the policy to deny aid to housing projects that bar tenants because of their race, creed or color.

This new challenge to southern opposition of his civil right program came in the midst of his seventh Dixie vacation.

He went fishing while Presidential Secretary William D. Hassett held a news conference confirming a speech by Solicitor General Philip B. Perlman that there will be no further FHA funds available to any restricted properties.

To Try Again In January

"That is the administration policy," Hassett asserted. "That speech was delivered with the knowledge of the President and he (the President) approved the line laid down by Mr. Perlman."

Mr. Truman's advocacy of anti-segregation measures split his party in the South last year and cost him four Dixie states in his successful reelection campaign. A Senate filibuster against them following early this year.

The President has made clear that he will renew his advocacy of anti-lynching and similar laws in the "State of the Union" message he will deliver to Congress in January.

Preliminary discussion already has started here on that message.

Applies To GI Loans, Too

Perlman said in his New York speech to the New York State Committee on Discrimination in Housing that GI loans also will be denied on racially restricted property.

The same non-segregation policy will prevail on slum clearance projects financed by the government and in land transactions by public agencies.

The change in policy is not retroactive, Perlman said in New York. It will apply to future developments when the new regulations take effect a few weeks hence.

Some of New York's large post-war housing developments bar Negroes.

The new policy, he said, may affect as many as 500,000 dwelling units a year, costing up to $5,000,000,000. An official said FHA financing affects nearly 35 per cent of all residential mortgage operations.

The solicitor general said he was speaking for Attorney General J. Howard McGrath, with the approval of President Truman and Housing Administrator Raymond M. Foley.

"President Truman has been working on this matter for some time, and is most happy over the results of his efforts," Perlman continued.

"Veterans Administrator Carl R. Gray, Jr., has authorized the statement that he is taking action to amend GI regulations along lines parallel to those of FHA.

Nathaniel S. Keith, director of slum clearance and urban redevelopment, said at the New York meeting federal aid for redevelopment also will follow the new policy.

He explained that this means Federal monies will be denied public agencies that buy land for redevelopment on racial or color lines.

From the floor, a questioner suggested that a private builder might get around the new policy to a degree by erecting one section "for Negroes and another section a few blocks down for Italians, while the Anglo-Saxons live in the main part in another area."

"That is correct," Keith said.

Court Decision Awaited

Housing Specialist Charles S. Abrams said, however, cases now before the U. S. Supreme Court might bring a clear-cut decision later on the legality of segregation in public developments.

Abrams said the new policy means that it may no longer be stipulated in a written agreement covering federally-aided housing that any race or creed is barred.

Eighty per cent of 100-unit or larger developments in Los Angeles and Chicago contain such restrictive agreements, Abrams said. He said 75 per cent of such developments in heavily-populated Nassau and Queens counties on Long Island do the same.

Would Go Further

The 300 housing experts at the conference passed a resolution urging that FHA go beyond the new policy. They asked that it refuse aid to any housing project which practices discrimination even though no restrictive agreement is on file.

The resolution declared that discrimination "by gentlemen's agreement" should not receive federal support.

Dixie Bankers, Builders Given Federal Assurance

Virginians Learn They Can Do Business in Same Old Racist Way; Cooling Off

RICHMOND

Bankers, realtors and contractors, "het up" over the FHA's anti-segregation ruling, "cooled off" considerably over the week end after being assured by housing officials that the discrimination ban is meaningless.

The relief was supplied by Federal housing officials here and elsewhere in Virginia, all of whom assured heads of lending institutions and building firms that the ban on loans where restrictive covenants are newly applied would have little effect in Dixie.

Public Housing Administration officials pointed out that the PHA would not follow the lead of FHA in refusing to make loans on property with racial restrictive covenants, but would continue to allow local officials to designate tenants in accordance with "local custom."

Also, in clarifying the anti-bias ruling of the Federal Housing Administration (FHA), announced by Solicitor-General Philip B. Perlman, FHA officials asserted that owners of property would still be permitted to select buyers and tenants of their choice.

Loans would be refused, it was pointed out, only where "written" restrictive covenants were recorded after a period of 60 days from the date of the announcement. Existing covenants, it was added, would not affect an application for a loan.

These officials asserted further that such covenants were acceptable so long as no attempts were made to enforce them in the courts and that private individuals were at liberty to enforce similar covenants in future developments under the same conditions.

Ruling Means Nothing

That is understood here to mean that (even under FHA) a landowner may obtain funds for erection of any number of houses, restrict sale and occupancy to white purchasers or tenants by refusing to sell to others so long as he does not seek the aid of the State in enforcing his demands.

Further, he may enter into a private agreement with each purchaser or tenant under which the tenant or purchaser may not sell or rent to any person other than a member of the white or Caucasian race. He may not ask the courts to enforce that agreement, however.

Thus, according to legal authorities here, the new FHA ruling means nothing more than synchronization of the FHA's policies with conditions already existing. Lawyers here point out that the U.S. Supreme Court had already settled that issue.

In the light of the new interpretation, Richmond is going ahead with plans for a PHA project of 1800 units and Hosea Wilson, Danville Housing Authority head, said that city is not withdrawing its application for 750 dwelling units.

Details Sent To Lending Insfitutions

Clauses Outlawing Racial Covenants To Be Demanded

WASHINGTON, D. C.—(NNPA)— Regulations designed to bring the policies of the Federal Housing Administration in line with the decision of the United States Supreme Court in the racial restrictive covenant cases become effective on Feb. 15, 1950, the FHA announced last Friday.

The amended regulations bar Government aid in the form of FHA insurance of private lending institutions against loss on loans secured by mortgages on property covered by a covenant forbidding sale to or occupancy by colored persons, recorded on or after the effective date of the new regulations.

In announcing that FHA Commissioner Franklin D. Richards had signed the amendments, the FHA said copies of them were being mailed to private lending institutions.

MORTGAGE TERMS

After the effective date of the amendments, in order to be eligible for FHA insurance, mortgages on both new and existing structures with accommodations from one to four separate families must contain a covenant that until the mortgage is paid in full, or the contract of insurance otherwise terminated, the mortgagor will not execute or file for record any instrument which imposes a restriction upon the sale or occupancy of the mortgaged property on the basis of race, color or creed.

The amendment also provides that such a covenant shall be binding upon the mortgagor and his assigns and upon its violation the mortgagee may, at its option, declare the unpaid balance of the mortgage immediately due and payable.

This amendment also is applicable to insurance of mortgages on multifamily rental projects of 12 or more units, new one—to four-family dwellings for sale or rent, new large scale rental construction, federally-owned housing sold by the Government, construction loans on groups of 25 or more single-family dwellings constructed by modernized large-scale site-construction methods, and yield insurance for investors in large-scale rental housing projects.

OTHER REQUIREMENTS

The amendments to FHA rules also require that a mortgagor of both new and existing structures for from one to four separate families and home structures, as well as Government-owned housing-disposition mortgages, must certify that until the mortgage has been paid in full, or the contract of insurance otherwise terminated, he will not record any racial restriction upon the sale or occupancy of the mortgaged property, or execute any agreement, lease, or conveyance occupancy.

The mortgagee of new and existing structures of one to four separate family accommodations must establish that no racial restriction has been filed of record at any time after next Feb. 15.

In the case of multifamily rental projects of twelve or more units the mortgagor must establish that no such restriction has been recorded after the February date and must certify that, until the mortgage has been paid in full or the contract of insurance otherwise terminated, he will not record any such restriction affecting the mortgaged property or execute any agreement, lease or conveyance affecting the mortgaged property do likewise with respect to yield insurance for investors in large-scale rental housing projects.

Similar amendments also apply to mortgage insurance for military housing.

This amendment also applies to rental-project mortgages, to Government-owned housing-disposition mortgages, and site-fabricated housing.

Tension Mounts As Negroes Occupy New Homes In Atlanta Border Area

Chicago Defender 38c Chicago Ill. Sat. 5-14-49

By RUSS J. COWANS
Staff Correspondent
Chicago Ill

ATLANTA — Racial tension, which has been on the upsurge in the Mozley Park section since early last year, flared into the open again last week. Sat. 5-14-49

The new trouble developed when a delegation of 200 whites gathered to make arrangements to repurchase home at 1426 Mozley Place from Frank Bearden, and, at the same time, protest the sale of another piece of property by a white man to a colored family.

Police were called when the whites arrived. They found Bearden surrounded by [illegible] with a platoon close at hand. The whites, according to police, were on the opposite side of the street.

Two homes on the southside of Mozley Place were bought by colored families several months ago. After the families had moved into the frame dwellings, they received threats and a police guard was placed in the block. Sat. 5-14-49

Following protests, police said whites offered to rebuy the homes, and, according to Capt. E. L. Sikes, the two families agreed to sell.

Police Chief Herbert Jenkins said a civic club in the area agreed to purchase the homes, but had been unable to raise the money. However, the insurance companies notified the Negro owners that unless the houses were occupied the insurance policies would be cancelled.

The homes had been vacant until last Wednesday, when the two families moved in. It was then that the civic club members sought to close the deal with the colored owners, but could not find them.

The trouble had its beginning last winter when the homes were sold to the colored owners. A delegation of whites carried their protest to Gov. Herman Talmadge, who after conferring with the attorney general, recommended that the State Real Estate Commission revoke the license of any real estate broker who sells residential property in a white neighborhood to a Negro. Sat. 5-14-49

W. H. Calhoun, Negro realtor, was carried before the commission on a complaint and following hearing, his license was revoked.

There is another colored family in the 1400 block on Mozley Place.

Race Dispute In Atlanta Housing Finally Settled

Journal & Guide Norfolk, Va. Sat. 5-21-49

By NNPA News Service

ATLANTA, Ga. — A dispute stemming from the dispute purchase by colored persons of property on Moxley Place, S. W., is headed for settlement, according to an agreement worked out last Monday night in Mayor William B. Hartsfield's office.

Commitees representing colored and white citizens agreed that two houses and a vacant lot will be bought from colored owners who recently purchased the properties, and that no further sales there will be made to colored persons.

Under the agreement, reached after Mayor Hartsfield acted as a mediator in the controversy, property at 1400 Mozley place will be bought for $9,715 and property at 1400 Moxley place will be purchased for $8,007.50, and a vacant lot adjacent to 1406 Moxley Place will be bought for $1,181. Sat. 5-21-49

PURCHASERS SECURED

Members of the white committee said purchasers already have been secured for the properties.

The controversy over encroachment was precipitated about six months ago when the Rev. W. W. Weatherspool, pastor of the Mt. Olive Baptist Church, bought the property at 1400 Moxley Place.

White residents of the area protested and the Rev. Mr. Weatherspool said he would vacate it if he could get his money out of the place,

The West End Cooperative, headed by Joe Wallace, undertook to raise the funds. After considerable negotiations, GI's became interested and the conference last Monday believed to have ended the crisis.

When the colored and white committees disagreed last Monday, Mayor Hartsfield placed them in separate rooms. The only disagreement was over items of expenses which should be included in the final payments.

HOUSING ILLS IN NEWS AGAIN

Daily World, Atlanta

A mob of white men, estimated at 200 or more, allegedly accompanied by uniformed Atlanta policemen, Monday night reportedly visited every house occupied by Negroes on Ashby Street between Greensferry Avenue and West End Avenue, demanding that the Negro residents move out of the homes and turn them over to whites.

Residents, excited and alarmed over what several said was outright intimidation, were in a dilemma as to what to do about the situation. Some late Monday night were searching frantically for rooms to spend the night, afraid that a repetition of the bombing episodes that wrecked several of the houses in the block during the last two years, would endanger their lives.

Earlier in the afternoon it was reported some of the resident had been warned that a delegation of whites would "call on them." The calls were reported to Mayor Hartsfield's office and to the police department. It was learned that both the mayor and Chief of Police Jenkins were out of the city.

One colored householder who declined the use of her name, said that the policemen came on her porch first and announced that a "Mr. ..... (she named a white man who has figured prominently in recent housing disturbances) wants to speak to you." The policeman, she said, told her he didn't know what the man would say, but assured her that he would see that no harm was done to her. The leader, and the crowd, then packed into her yard and on the porch and demanded that she and her family move out. When told that she had no place to go, she said the man cursed her and called her profane names and warned her to move out immediately.

Another resident of the block said he asked if the whites would like to buy the property back and was told, "Hell no, you just get out and fix it up and rent it to white people!"

Recently, the organization of West End whites known as the West End Cooperative Association, led by one Joseph Wallace, attempted to raise money to buy back all houses in the borderline area occupied by Negroes. They succeeded, it was learned, in raising enough to help two white veterans buy two houses back on Moseley Place S. W.

Georgia Realty Case Dismissed In Negro Sales

Washington Post

Atlanta, April 14 (AP).—Georgia today turned down a move to revoke the license of a white real estate dealer who sold property in a white neighborhood to Negroes.

The case against W. M. Aycock was dismissed, officials said, because State witnesses repudiated their sworn statements to the Georgia real estate examining board.

Aycock was accused of falsely assuring his Negro purchasers that they could buy and take possession of homes in a white neighborhood "without any trouble or objection."

Assistant State Attorney General Robert Addleton said five State witnesses who had been subpenaed failed to appear. He said he would file contempt proceedings against them.

Negroes Sell Houses Back, Ease Friction

A dispute stemming from the purchase by Negroes of property on Moseley Place, S. W., is headed for settlement, according to an agreement worked out last night in Mayor Hartsfield's office.

Committees representing Negroes and white citizens agreed that two houses and a vacant lot will be bought from Negroes who recently purchased the properties, and that no further sales there will be made to Negroes.

Under the agreement, reached after Hartsfield acted as a mediator in the controversy, property at 1400 Mozley Pl. will be bought for $9,715; property at 1406 Mozley Pl. will be purchased for $8,007.50, and a vacant lot adjacent to 1406 Mozley Pl. will be bought for $1,181.

Members of the white committee said purchasers already have been secured for the properties and that the transactions will be completed this week.

The controversy over encroachment was precipitated about six months ago when the Rev. W. W. Weatherspool, Pastor of the Mt. Olive (Negro) Baptist Church, bought the property at 1400 Mozley Pl.

White residents of the area protested and Weatherspool said he would vacate if he could get his money out of the place.

The West End Cooperative, headed by Joe Wallace, undertook to raise the funds. After considerable negotiation, GI's became interested and yesterday's conference was believed to have ended the crisis.

When Negro and white committees disagreed yesterday, Hartsfield placed them in separate rooms. The only disagreement was over items of expense which should be included in the final payments.

Hartsfield talked to the groups separately and finally came up with a compromise which both accepted. The conference ended with all members apparently in good humor.

Whites Seek Fund To Buy Back Homes

ATLANTA—Failure of whites to raise the necessary $9,000 with which to buy back property on Moseley place, S. W., from its Negro purchasers, seemed likely last week to bog down a citizens' move to create a line of demarcation between white and Negro residence areas.

In a last attempt to raise the money, a mass meeting was called at the Joel Chandler Harris school and Arnold Kennedy, member of the special white committee to raise the funds, warned that failure to do so would result in "Negro encroachment into the area."

Group Orders Negroes To Move

Race friction in the Ashby Street area reached a boiling point last night when an estimated 50 to 100 white persons gathered in front of Negro homes in a white area and told them they'd "have to get out."

There were reports of threatened violence, but one Negro family reported that "they're not giving us any trouble. They were just letting us know we'd have to move out of the white settlement."

Police reported the crowd was peaceful.

Georgia Acts on Home Sale Race Issue

Washington Post

Atlanta, March 9 (AP).—Georgia is moving to halt sale of white neighborhood homes to Negroes, a practice that has brought sporadic violence to the South.

Legal authorities said Georgia's action may provide a test case for the Nation on the issue.

Gov. Herman Talmadge's administration has accused four Atlanta real estate dealers of such practices. And for the first time, the dealers have been summoned before the Georgia Real Estate Commission.

In a hearing tomorrow, the dealers will be charged with violating public interest because their dealings have promoted racial friction.

If found guilty, the operators face loss of their license.

Last Saturday night, dynamite ripped a home in a white section of Atlanta. Negroes had just purchased the house.

White Atlanta Man Who Sold Afro-American in 'Off-Limit' Area Goes Free

Baltimore Maryland

ATLANTA — (ANP) — The case against W. M. Aycock, white real estate dealer charged with the sale of property in a white neighborhood to colored persons, was dismissed by the Georgia real estate examining board here recently for lack of evidence. The lack of evidence occurred when witnesses declined to support sworn statements they had previously given board inspector E. M. Smith.

Aycock had been accused of "misrepresentation" in assuring the purchasers they could buy homes in white neighborhoods and take possession "without any trouble or objection." Also involved in the sales was J. H. Calhoun, colored realtor, who was not so fortunate. He faced criminal charges for his transactions—the outcome of which was a mistrial—and lost his license.

A U. S. Supreme Court test of a State's right to revoke real estate licenses on such grounds is expected to be sought. In addition, the high court will be asked to determine whether dealers' civil rights are abridged in such cases.

Can't Decide Fate Of Realtor Who Sold House To Negro

Chicago Defender

(Defender Southeastern Bureau)

ATLANTA, Ga. — Deadlocked four to one in favor of conviction, a five-man jury in the Criminal Court of Fulton County was unable last Thursday to reach a verdict in the case of J. H. Calhoun, a colored real estate agent, accused of selling a house in a white neighborhood to a Negro woman.

After the jury had been out for five hours, Judge John S. McClelland asked if there was a possibility of reaching a verdict. The foreman said, "No," and Judge McClelland declared a mistrial.

Mrs. Geneva Jones Allen testified that Calhoun represented to her a house at 1416 Mozley place, Southwest, was in a section "going colored" and there would be no objection to her buying the house and living in it.

She said she agreed to buy the house from Mrs. E. E. Fields for $7,500 and paid Calhoun $370 in earnest money. Later she said she learned there were objections to colored people living in the block and asked Calhoun to refund her $370.

Atty. Russell Turner, representing Calhoun, said his client was willing to return the money, but that Mrs. Fields refused to release him from the contract.

Calhoun denied any misrepresentation.

Family Moves Into Ashby St. House, Threatened

Daily World, Atlanta, Ga.

Man Identified To Police As One Who Talked To Occupant

Tension flared anew Tuesday at 359 Ashby, S. W., after a Negro family moved into a house which they recently acquired.

The house is the same one dynamited several weeks ago, located near the intersection of Ashby and Sells Avenue, S. W.

Police Capt. J. H. Brown said he had been informed by Patrolmen

Baldwin and Wright that they received a "disorderly conduct" call to the Ashby address.

Upon arrival at the scene, Mrs. Rosa Mae Williams, occupant of the house, told Captain Brown that she had been "threatened" by a person described as being a tall, slender white man who walked in the yard soon after she completed moving in the residence.

She said the man asked if she was moving into the house and she answered "yes." She was then told by the man that "this is a white section and they don't want any colored people in here."

THREATENING ATTITUDE

Mrs. Williams further told officers that, although the man did not use "threatening" words his attitude was threatening.

Later, the police captain talked with a man who allegedly identified himself as the person who talked with the Negro tenant. The officer quoted the man as saying, "I stopped Negroes from moving in on Sells Avenue three years ago and I'm not too good to stop them now.

Other West End residents who were said to have figured in similar housing disputes involving Negroes and whites witnessed the conversation.

No charges were lodged against anyone in connection with the incident. The Negro family is still living in the house which has not been repaired since the dynamiting.

City building inspectors had been notified early Tuesday morning to determine if the structure was safe for the people to live in.

Meanwhile, J. R. Ellis, of College Park, and Major Bailey, both friend of the family, had begun repairing windows which had been broken on the opposite side of the double-tenant house.

Three rooms on one of the structure had been blasted by dynamite, but the other side sustained the blast and is being occupied by the Negro family which recently moved in.

A Wise And Timely Proposal

Daily World, Atlanta, Ga

The Atlanta Daily World shares rather fully the timely and thoroughly reasonable suggestion offered by one of our readers, J. E. Jordan, President of the Hy-Beaute Chemical Company.

In a letter addressed to the World editor dated June 1, Mr Jordan says: I am beginning to wonder if it was right for Negroes to compromise on the Moseley Place housing dispute. It seems that a certain man is determined to run off the Negroes out of town, if he can. I understand that a certain white man is the ring leader in the housing upheaval.

"If a Negro were responsible for all of this unrest and disturbance of the normal and peaceful relations between whites and Negroes, there is no question in my mind that he would have been hailed before the solicitor and charged with incitement to riot." Fri. 6-3-49

There, it seems to us, is the heart of the suggestion made by Mr. Jordan. It seems a great pity that the local law enforcement officials have not seen the housing tensions and the instigator behind them in that self-same light. Hoomer Loomis was indicted for usurpation of police authority. We think the law acted wisely in his case. But for nearly two years or more now the housing problems have been bandied about from white man to white man, depending upon the particular section of the community the issue arose. And nothing has been done about it. Here is a man who has no interest or concern in the matter whatsoever who goes about protecting white people from the encroachment of Negroes. And with the knowledge of local police, if not with their assistance in some cases. But nothing has really happened to embarrass him or to bring him to account for his incitement. Atlanta, Ga.

It is time now for local government to assert itself and say who is responsible for law enforcement in Atlanta. We repeat, it is high time for the Mayor and Chief of Police Jenkins to act!

Interracial Committee Named In Housing Row

Atlanta Daily World

Atlanta, Ga

The acute need of an adequate and planned expansion program for Negro housing was increasingly evident here Monday following the latest series of developments that took place in the wake of a Negro minister moving into a "borderline" territory on Mozley place in Southwest Atlanta. Tues. 2-15-49

The flare-up began Sunday, a few days after Rev. W. W. Weatherspool, pastor of Mt. Olive Baptist church, moved into his newly acquired home on Mozley place. A throng of white residents — said to have become indignant over Negroes migrating into their neighborhood — swarmed onto the minister's property Sunday, led by one J. M. Wallace, Rev. Weatherspool said, to protest his establishing residence in the community. Although no acts of violence were reported in the mass demonstration, the minister said his callers made it unmistakably clear their desire that he vacate the house.

CALL ON GOVERNOR, MAYOR. Tues 2-15-49

Early Monday morning the demonstrators, nearly two hundred strong, stormed into the state Capitol, demanding an audience with Governor Talmadge. The Governor reportedly told the group that their problem was one for the city administration and referred them to Mayor Hartsfield.

Led by their spokesman, Wallace who has figured prominently in other housing rows, the frenzied group moved into the City Hall demanding an audience with the Mayor, who received them in the Council Chamber. Following the two hour conference during which various persons voiced their resentment to the migrants, the Mayor promised to do "everything in my power" to effect a peaceable solution to the problem. Tues 2-16-49

A committee of Negro leaders conferred with the Mayor on the situation Monday afternoon. The Mayor expressed grave concern over developments, saying "some peaceable solution must be worked out." His alarm over its acuteness was shared by City Police Chief H. T. Jenkins. Entering into the discussion were Councilmen John T. Marler, Roy Bell and Alderman Lee Evans.

At the close of the meeting the Mayor appointed a committee of three Negroes, to represent Negro interests in a proposed conference with a white committee representing the white interests.

Other attending the Monday evening conference included: J. H. Calhoun, Rev. W. W. Weatherspool, Daniel Byrd, A. W. Calloway, Rev. J. R. Hurley, Dr. D. V. Kyle and W. A. Scott, III.

The two committees are expected to meet at the earliest convenient moment

Mayor Tries To End Row Over Negro Home Limits

A six-man committee representing Negroes and whites will attempt to ease tension between the races in the Mozley Park area of the City.

Mayor Hartsfield late yesterday decided to attempt to work out a peaceful solution of the latest friction, the result of Negro encroachment into Mozley Place, S. W., by having the composite committee set boundaries beyond which Negroes would not buy homes.

The Mayor called Negro leaders to his office during the afternoon after a delegation of more than 100 irate citizens invaded the City Hall yesterday morning demanding that some action be taken to "protect our homes."

Fourteen Negro leaders, Ald. Lee Evans, Councilmen Roy Bell and John T. Marler, and Police Chief Jenkins attended the afternoon discussions.

C. A. Scott, editor of the Atlanta World; C. L. Harper, President of Atlanta Chapter, National Association for the Advancement of Colored People, and the Rev. M. L. King, pastor of Ebenezer Baptist Church, were named members of the committee which will represent Negroes in the joint effort of Negroes and whites to establish a line at which encroachments will stop. Warren R. Cochran, Secretary of the Butler Street YMCA, will serve as alternate on that committee.

Members of the white committee will be selected as soon as possible by the Fourth Ward delegation and the conferences will begin.

In the meantime, the Rev. W. W. Weatherspool, pastor of the Mt. Olive Baptist Church, who moved into a house he bought at 1400 Mozley Pl., S. W., will have police protection.

The protesting group of white persons went to the City Hall after a visit to Gov. Talmadge's office, where they also urged protection by the Governor.

The Governor called Mayor Hartsfield and pledged him every co-operation possible in settling the differences.

Gov. Talmadge last night said he favored the State Real Estate Commission revoking the license of any real estate dealer who sells white property in a white neighborhood to a Negro, provided the Commission has such authority. He said he had asked the Attorney General to determine if the Commission does have such authority.

Several who spoke at the City Hall meeting urged Hartsfield to find some solution and added they "had no intention of moving or selling out to Negroes."

Hartsfield called Asst. City Atty. J. Charlie Murphy to help in construction of the law. Murphy said Hartsfield is "powerless to act under the law, either by policing, zoning or by establishing land barriers."

Hartsfield also said City Atty. Jack Savage and State Atty. Gen. Eugene Cook will review the law to see if the City or State has authority to control encroachments, or if any other solution can be found to the problem.

Georgia Tests Case Of Negro Homes

Real Estate Dealers Called to Explain Sales

ATLANTA, March, 9. (AP).—Georgia is moving to halt sale of white-neighborhood homes to Negroes, a practice that has brought sporadic violence to the South.

Legal authorities said Georgia's action may provide a test case for the nation on the issue.

Governor Herman Talmadge's administration has accused four Atlanta real estate dealers of such practices. And for the first time the dealers have been summoned before the Georgia Real Estate Commission.

In a hearing tomorow, the dealers will be charged with violating public interest because their dealings have promoted racial friction.

If found guilty, the operators face loss of their license.

Last Saturday night, dynamite ripped a home in a white section of Atlanta. Negroes had just purchased the house.

State officials said today the Georgia case appears to be the first of its kind. It may provide a United States Supreme Court test, they said, of a state's right to revoke real estate licenses on such grounds.

More than seventy-five witnesses, including whites and Negroes, have been summoned for the hearing.

Georgia Acts To Curb Home Sale To Negroes

ATLANTA, March 10—(AP)—Georgia is moving to halt sale of white-neighborhood homes to Negroes. The practice has brought sporadic violence to the South.

Legal authorities said Georgia's action may provide a test case for the nation on the issue.

GOV. HERMAN TALMADGE'S administration has accused four Atlanta real estate dealers of such practices. And for the first time the dealers have been summoned before the Georgia Real Estate Commission.

In a hearing today, the realtors will be charged with violating public interest because their dealings have promoted racial friction.

If found guilty, the operators face loss of their licenses.

Last Saturday night, dynamite ripped a home in a white section of Atlanta. Negroes had just purchased the house.

Georgia Case Against Real Estate Man May End In High Court

ATLANTA, March 11—(AP)—Georgia's efforts to take away the license of a Negro real estate dealer for selling property in a white neighborhood to Negroes may wind up in the U. S. Supreme Court.

The three-man real estate commission has reached no decision on a petition for action against F. H. Calhoun, the real estate dealer. It took the issue under advisement after a six-hour hearing yesterday.

* * *

ASST. STATE ATTY. GEN. Robert Addleton charged that Calhoun had gone against "public interest" in selling a white residence to Geneva Jones Allen, a Negro woman, without warning her that racial friction might result.

Gov. Herman Talmadge has recommended that the commission revoke the licenses of dealers who sell white property to Negroes.

Calhoun's attorney, Stephen Mitchell, charged the whole proceeding was unconstitutional.

Indications are that if Calhoun loses his license, an appeal to the Supreme Court will be forthcoming.

Behind The Headlines

The White Hood Of The Ku Klux Klan Now Covers The Georgia State Capitol

by ALBERT L. HINTON

THE delegation of more than two-hundred outraged white residents descended upon the State Capital and dumped their grievances right in the governor's lap with a demand that something be done about the matter, post-haste. His Excellency, in turn, called the mayor and pledged his whole-hearted cooperation in settling the problem after stating that he would seek further advice from the State's attorney general.

MR. HINTON

His Honor summoned colored leaders to his office together with the chief of police and a sprinkling of city councilmen and aldermen, and wound up by appointing three of the colored leaders to a six-man committee with a view toward ameliorating the problem. His Honor also called upon the assistant city attorney to aid in interpreting the law affecting the impasse. The assistant city attorney declared that the mayor "powerless to act under the existing law."

The mayor quite optimistically announced that the city attorney and State attorney general would review the law to determine if either the city or state had enforcement powers in the premises, or if any other solution could be found for the problem. The gov[illegible]nor spoke again asserting that he favored drastic measures and would confer again with the attorney general.

The protesting delegation of more than two-hundred outraged white residents continued to burn.

* * * *

A FEW YEARS AGO IN this column under the caption, "The State of Georgia is Coming into Its Own," I gave the Cracker State a pat on the back and opined that things in general were looking up in the Commonwealth in spite of the state's generally accepted reputation for mob violence, as being national headquarters for the iniquitous Ku Klux Klan, racial discrimination, denial of the right of franchise, and downright orneriness.

I take it all back.

The incidents described above, believe it or not, transpired last week right in Atlanta. The reason? The Rev. W. W. Weatherspoon, a man of God, who just happened to be a Negro, moved into a house he had bought in a neighborhood heretofore considered exclusively white. In the absence of any evidence to the contrary I think it can safely be assumed that Rev. Mr. Weatherspoon's only guilt, if any, in the premises may be attributed to the fact that he had run into a stone wall and thus his thinking in terms of decent housing for his family had become crystallized. He then took the only course left open to him.

The peculiar circumstances which have combined to create and perpetuate the American ghetto pattern under which literally millions of Negroes are forced to live, not only in the South but in other sections of the country as well, is all too familiar: the widespread, though unenforceable, racial restrictive covenant; the reluctance of private lending agencies to invest directly in property to be occupied by Negro Americans, or to accept mortgages on properties they seek to purchase or build, especially if outside the so-called established Black belts; and the heretofore existing policy of certain housing agencies of the Federal Government itself in refusing to insure mortgages for colored occupancy only under highly restrictive circumstances.

* * * *

NOT SO EASILY UNDERSTOOD, however, in the light of recent events, is the furor which was created in Atlanta when a minister of the Gospel moved into his new home. By a 6 to 0 decision on May 3, 1948 the United States Supreme Court virtually outlawed racial restrictive covenants by a ruling that they cannot be judicially enforced in state courts. In doing this the High Tribunal reversed the judgments of three lower courts.

With the housing restrictions declared "judicially unenforceable," such covenants can remain in force now only so long as [illegible] each individual signer is willing to abide by its terms. The movement a white property owner desires to sell to a prospective Negro buyer, his neighbors cannot stop him by going to court. The real which white sellers and colored buyers had prior to the Supreme Court decision, of being hailed into court if they dared to complete a mutually satisfactory contract, was wholly dispelled by the High Court's ruling.

WITH ITS RULING ON racial restrictive covenants the Supreme Court served notice on American bigots and on proponents of totalitarianism everywhere, that this nation is trying to square its democracy with its Constitution and come to terms with its own conscience in preparation for assuming moral leadership among the family of nations.

Neither the City of Atlanta, nor the State of Georgia, are bigger than the Supreme Court or the Constitution of the United States. And under the circumstances the governor, the mayor, the assistant city attorney, the State's Attorney General, the chief of police, members of the City Council and Board of Aldermen, together with the com-

mittee named by the mayor, should accept the inevitable with as much grace as they can muster and stop wasting their own time and the taxpayers' money.

The white hood of the Ku Klux Klan is now thoroughly in place over the gray dome of Georgia's State Capitol—and the spire of Atlanta's City Hall. Sat. 2-26-49

Mistrial Declared In Realtor's Case

BY C. LAMAR WEAVER

Atlanta Daily World

A Fulton county five-man criminal court jury Thursday was unable to reach an agreement in the cheating and swindling charge brought against Realtor J. H. Calhoun; thereby making it discretionary with Judge John S. McClellan to declare a mistrial in the case.

Atlanta Georgia

The jury had remained deadlocked for over five-and-half hours before the judge's decision.

A prominent businessman of the city, Realtor Calhoun had been accused by a Negro property buyer, Mrs. Geneva Allen Jones, of misrepresenting certain facts in selling her a house on Mozley place which has been the scene of racial friction. She charged that the realtor in accepting $370 in "earnest money" on the house had informed her that he had all of the property in the block listed with him and that the neighborhood was "going colored."

DENIAL SUBSTANTIATED

During the two-day trial, the realtor gave emphatic denial of the charges and was supported by three white property sellers in the community who told the court they had heard the realtor tell Mrs. Allen in their presence that he had only three of the Mozley place homes listed for sale with him.

There were other witnesses who told of the realtor trying to work toward a peaceable solution among whites and Negroes residing in the area. (Mozley place is one of at least three "borderline" areas where Negroes have migrated because of the acute housing conditions.)

In addition several character witnesses were called in behalf of the realtor and swore to his "good character." The three white property owners declared that their dealings with the realtor were above reproach. One of them told the court that she put her house on the market for a Negro buyer when efforts to sell it to whites failed. Each women declared she sought out the realtor for negotiations.

In summary argument Thursday Defense Attorney Russell Turner declared the state had no evidence of the charges brought against his client. He said the state had only the testimony of Mrs. Allen and her husband to base its case. He pointed out that the testimony of the three white property sellers declared the realtor had told Mrs. Allen he had only three Mozley Place houses listed with him.

BLAMES WALLACE

If it wasn't for Joe Wallace, the attorney continued, the case never would have been brought to court. He charged further that a special prosecutor, Frank Grizzard, had been employed to prosecute the case rather than by the solicitor's staff.

Mr. Wallace is alleged to have admitted that the West End Cooperative Corporation, of which he is president, employed the special prosecutor, He was in attendance during both days of the trial.

CONTRACT HELD VALID

Explaining why Calhoun couldn't return the "earnest money" to Mrs. Allen, Atty., Turner said Mrs. Margaret Fields who sol dthe house held that the contract was valid and would not agree to a release.

Atty. Grizzard called to the jury's attention that the realtors' 1949 license was being witheld pending a decision by the Georgia Real Estate Commission which heard the same charge against the realtor last Thursday. Mr. Grizzard ran into a number of objections by the defense which accused him of straying from the evidence in the case.

CHARGE REALTY MEN IN SALES TO NEGROES

Atlanta Daily World

(The Associated Press)

Atlanta, March 9—Georgia is moving to halt sale of white-neighborhood homes to Negroes, a practice that has brought sporadic violence to the South.

New Orleans La.

Legal authorities said Georgia's action may provide a test case for the nation on the issue.

Thu-3-10-49

Gov. Herman Talmadge's administration had accused four Atlanta real estate dealers of such practices. And for the first time, the dealers have been summoned before the Georgia real estate commission.

In a hearing Thursday, the dealers will be charged with violating public interest because their dealings have promoted racial friction.

If found guilty, the operators face loss of their licenses.

Last Saturday night, dynamite ripped a home in a white section of Atlanta. Negroes had just purchased the house.

Jury Disagrees in Agent's Case

Afro-American Baltimore Md.

Home Sale in White Area Called 'Swindle'

ATLANTA, Ga.—(NNPA)—A five man jury in the Criminal Court of Fulton County was unable last Thursday to reach a verdict in the case of J. H. Calhoun, real estate agent, accused of swindling in connection with the sale of a house in a white neighborhood to a colored woman.

Sat. 3-26-49

After the jury had been out for five hours, Judge John S. McClelland asked if there was a possibility of reaching a verdict. The foreman said, "No," and Judge McClelland declared a mistrial.

Mrs. Geneva Jones Allen testified that Calhoun represented to her a house at 1416 Mozley Pl., S.W., was in a section "going colored" and there would be no objection to her buying the house and living in it.

Agent Denies Charge

She said she agreed to buy the house from Mrs. E. E. Fields for $7,500 and paid Calhoun $370 in earnest money. Later she said she learned there were objections to colored people living in the block and asked Calhoun to refund her $370.

Russell Turner, attorney, representing Calhoun, said his client was willing to return the money, but that Mrs. Fields refused to release him from the contract. Calhoun denied any misrepresentations. Sat. 3-26-49

Against Public Interest

Black Dispatch Oklahoma City

Governor Herman Talmadge has instituted proceedings down in Georgia to have the real estate license of a Negro revoked because this landbroker saw a chance to make a commission selling a parcel of property to a Negro client. The Negro is charged with going "against the public interest" by selling property in a white neighborhood to a member of his race.

Black Dispatch

Up to the time of this writing the three-man real estate board, clothed with authority to issue licenses, has done nothing about the matter but it is dollars to doughnuts that F. H. Calhoun, of Atlanta, will be deprived of his right to sell property in the capital city of Georgia. Sat. 3-19-49

We seriously doubt the state is acting in good faith when it alleges in this instance it is acting "in the public interest." It seems to this writer that it is a good public policy for a man to exercise his constitutional rights of citizenship and this is precisely what Calhoun was doing when he sold this piece of property. We think it is against the public interest and the integrity of the state when any atttmpt is made to circumvent and go around the constitution of the United States. Sat. 3-19-49

The Supreme Court of the United States in a series of cases, beginning with the case of Warley vs the City of Louisville, Kentucky, and then on across a period of years, has held Negroes have the unfettered right to rent, purchase, lease and occupy property. In the recent covenant decision last year the Supreme Court knocked into smitherings the last barrier race prejudice had set up to deny American citizens the right of freedom of movement, and the right to live where any citizen might elect to live on the topside of the soil here in America. Sat. 3-19-49

But along comes Herman Talmadge to announce it is not in the interest of the public to exercise rights that have been discussed, defined and interpreted by the highest judicial body in the land. If Calhoun's license is cancelled we are quite sure another case will immediately be started down the long legal path which must be followed to land this litigation before the scrutiny of the Supreme Court. Sometimes we get the notion that the only meaning to the term states rights is vested in the desire of race haters to hamper, go around and circumvent the clear and very evident intention of the United States Srpreme Court.

Deny Loans To Negroes For Homes

WASHINGTON— Negroes have a hard time borrowing money to build their homes, no matter how good a job they may hold, how good their credit record may be, or how well designed their prospective building project may be, Elmer W. Henderson, director of the American Council on Human Rights told a Senate Committee here.

Pleading for direct loans from the government for Negro home builders before the Senate Banking and Currency Committee now conducting hearings on a housing program for middle-income class groups, Henderson said that Negroes found it almost impossible to secure loans for homes through banks and other lending institutions.

To his surprise, Henderson found that some members of the Committee were well acquainted with this hardship which Negroes face and encouraged him to believe that his proposal might get support.

Senator John J. Sparkman (D., Ala.) told of instances in Alabama, where Negro realtors had tried to get financial assistance for a well-designed housing development, but failed "after trying all over the country."

Senator Paul H. Douglas (D. Ill.) denounced the Federal Housing Administration for its discrimination against Negroes and said many instances of FHA refusal to insure mortgages had come to his attention in Chicago.

Public Housing Race Division To Be Left In Local Hands If Fair, PHA Official Says

WASHINGTON — (AP) — Racial segregation in public housing projects will be left up to local authorities, as long as the number of units is apportioned fairly among the races, a Public Housing Administration spokesman said yesterday.

The PHA policy is expected to be set out formally in a few weeks as the multibillion-dollar public housing program approved by Congress at its last session gains momentum.

The question of racial segregation in Federally subsidized low-cost dwelling units was raised after the recent announcement of a policy to ban Federal mortgage insurance of private housing on which discriminatory race-religious covenants are recorded in the future.

Basically, a PHA spokesman said, there will be no change in the present practice of letting each community decide whether to have separate projects for racial groups under the new Public Housing Law.

But he said more explicit instructions will be issued to make sure that the over-all construction program in each community is properly balanced to meet the needs of low-income families in each racial group.

"The way in which a local housing authority distributes its low-income tenants of different races among its various projects is to be left to local determination, so long as equitable provision is made for all races," the spokesman said.

He made clear, however, that if a community were to build only one public housing project and there were a need among both white and Negro families for low-rent housing, the new policy would require members of both races to be admitted in equitable proportions.

He remarked that this is unlikely to occur; that a community which wished to maintain a policy of segregation undoubtedly would build two smaller projects to house the races separately.

Another requirement, the official said, will be the furnishing of "substantially the same quality, services and conveniences" for white and Negro families in public housing projects.

The housing law provides for the construction of 810,000 dwelling units in six years. The projects will be owned and operated by municipal housing authorities and will be rented to low-income families, with subsidies paid by the Federal government.

More than 250,000 units already have been allocated to about 250 communities. The PHA spokesman said they have been allotted on the basis of over-all community needs.

He added that the problem of distribution of the units in each community among racial groups will come up later—and when the time comes the PHA will be ready with its policy instructions.

He said the PHA will not require that fair racial ratios be maintained in each community project by project. "The test," he said, "will be whether the entire program of a local authority, as a whole, is equitable."

New Law Protects G. I. Mortgages

Regulations to bar restrictive covenants based on race, creed or color in connection with home loan mortgages guaranteed for veterans under the GI Bill will go into effect next February, Veterans Administration announced today.

The new regulations will apply to all such convenants created and recorded subsequent to February 15, 1950, and to all GI mortgages guaranteed or covenants recorded prior to February 16 will not be affected, V-A said.

As applied to mortgage lenders, V-A said any guarantee issued for a loan on property subject to a recorded covenant barred by the regulations would be affected in the event of subsequent default and foreclosure. In such cases, the lender's option of transferring the property to V-A, which he normally has the right to do, would be nullified if the convenant was still effective of record at the time of the proposed transfer.

Also, with respect to mortgages guaranteed or insured by V-A after Feburuary 15, the borrower may be declared in default on his loan--with the entire unpaid balance immediately due and payable--if he hereafter records such a covenant on the property.

The type of covenants referred to are those designed to restrict the occupancy or use of the property as to race, creed or color. V-A said the new regulations are being issued to bring the agency's loan guaranty program into full accord with a recent decision of the United States Supreme Court. The Court held that such covenants are contrary to public policy and are not sustainable by action in the Federal courts.

The new regulations have been issued to the various V-A field offices which administer the loan guaranty program, and copies will be distributed to builders, lenders and others participating in the program.

Housing Projects With Racial Bars Denied F.H.A. Aid

Truman Reopens Civil-Rights Issue With Declaration of New Policy

By The Associated Press.

President Truman reopened the explosive civil-rights issue yesterday with White House declaration of a policy denying further Federal Housing Administration financing to any "racially restricted properties."

Solicitor General Philip B. Perlman announced such a decision in New York earlier in the day.

William D. Hassett, a presidential secretary, told a news conference at Key West, where Truman is vacationing:

"That is the Administration policy. That speech was delivered with the knowledge of the President and he (the President) approved the line laid down by Mr. Perlman."

Change Isn't Retroactive

Truman's advocacy of antidiscrimination measures split his party in the South last year and cost him four Dixie states in his successful re-election campaign.

Senator Bricker yesterday proposed a new coalition party composed of the same Republican-Southern Democrat elements that defeated Truman's civil-rights program. *Story is on Page 3.*

Affected by the new Government policy are:

1. F.H.A. financing guarantees for housing projects or one-unit dwellings.

2. G.I. loans for veterans housing.

3. Slum-clearance projects and land transactions by public agencies.

The change in policy is not retroactive. It will apply to future developments when the new regulations take effect a few weeks hence.

Seeks Effect On Volume Here

The new federal policy will probably have no effect on the volume of construction" of new houses and apartments with F.H.A. backing in Kentucky, Roscoe Dalton, F.H.A. administrator for Kentucky, said.

(Public low-rent-housing projects are not affected in any way by the new policy, said Nicholas Dosker, administrator for the Municipal Housing Commission. The two new housing projects to be built next year will be built as planned, one for Negroes and one for whites, he said.)

Perlman told of the new policy at a meeting of the New York State Committee on Discrimination in Housing. Some of New York's large postwar housing developments bar Negroes.

Said Perlman:

"The Federal Housing Administration is amending its rules so as to refuse to aid the financing of any properties, the occupancy or use of which is restricted on the basis of race or creed or color."

The new policy, he said, may affect as many as 500,000 dwelling units a year, costing up to $5,000,000,000. A Government official said F.H.A. financing affects nearly 35 per cent of all residential mortgage operations.

Perlman added that restrictive measures against minorities are "quite typical" in the U. S.

The solicitor general said he was speaking for Attorney General J. Howard McGrath, with the approval of the President and Housing Administrator Raymond M. Foley.

Suggests Way Around Policy

"President Truman has been working on this matter for some time, and is most happy over the results of his efforts," added Perlman.

He said Veterans Administrator Carl R. Gray, Jr., "has authorized the statement that he is taking action to amend GI regulations along lines parallel to those of F.H.A."

Nathaniel S. Keith, director of slum clearance and urban redevelopment, who also spoke at the New York meeting, said federal aid for redevelopment also will adopt the new policy. He explained that this means federal monies will be denied public agencies that buy land for redevelopment on racial or color lines.

From the floor, a questioner suggested that a private builder might get around the new policy to a degree by erecting one section "for Negroes, another section a few blocks down for Italians while the Anglo-Saxons live in the main part in another area."

"That is correct," Keith said.

Clear-Cut Decision Likely

However, housing specialist Charles S. Abrams said cases now before the U. S. Supreme Court might bring a clear-cut decision later on the legality of segregation in public developments.

Abrams said the new policy means that it may no longer be stipulated in a written agreement covering federally aided housing that any race or creed is barred.

However, he said, it does not prevent unwritten agreements restricting tenants.

Eighty per cent of 100-unit or larger developments in Los Angeles and Chicago contain such restrictive agreements, Abrams said. He said 75 per cent of such developments in heavily populated Nassau and Queens Counties on Long Island do the same.

The 300 housing experts at the conference passed a resolution urging that F.H.A. go beyond the new policy. They asked that it refuse aid to any housing project which practices discrimination even though no restrictive agreement is on file.

The resolution declared that discrimination "by gentleman's agreement" should not receive federal support.

Perlman said the new policy backs up a U. S. Supreme Court decision that individuals may impose racial restrictions but the Government cannot support such restrictions.

He quoted Attorney General McGrath as saying the new regulations mark "an important and far-reaching gain in the effort to eliminate discriminations based on race or creed or color from American life."

STATE DEMOCRATS PLAN FIGHT ON BIAS

60 Legislators Adopt Program Including Plank to Bar Aid to Segregated Housing

By WARREN MOSCOW

The Democratic minority in the State Ligslature committed itself yesterday to an anti-discrimination program in housing that would bar a repetition of the Stuyvesant Town situation.

Sixty Democratic legislators, three-quarters of the party's legislative contingent, adopted the housing plank as part of a broad legislative program suggested at least in part by the public hearings held by the same group last week. This is to be pressed at the coming session and in the 1950 campaign.

The housing plank parallels the much-disputed order issued by Federal authorities in connection with Federal Housing Administration loans for projects that contain restrictive covenants, except that it goes much further. It would bar any form of state or city aid, in the form of loans, condemnation privileges or tax reduction or exemption, if discrimination in selecting tenants was not prohibited.

Discrimination Now Permissive

The Stuyvesant Town lease, which permits racial discrimination, was pushed through as part of an urban redevelopment program adopted by the Legislature in 1943 and put through the Board of Estimate—under the Dewey and La Guardia administrations. It came back to haunt the O'Dwyer administration, in the recent city campaign, as a result of its having approved a rent increase for Stuyvesant Town without obtaining cancellation of the permissive discrimination.

At the meetings at the Hotel Biltmore, presided over by Elmer Quinn, Senate Minority Leader, and Paul E. Fitzpatrick, State Chairman, the Democrats espoused the anti-discrimination plank in housing as part of a housing program that would pledge the party to work for more housing facilities for middle-income groups, capable of paying between $55 and $80 a month for rent. They said this could be done by changing the housing law to encourage co-operatives and limited dividend corporations to operate in this field through subsidies such as tax exemption. The anti-discrimination plank was regarded, however, as likely to evoke opposition from realty groups that might otherwise be interested.

Other Planks in Platform

Other planks in the Democratic program, which were approved in principle at yesterday's session, included the following:

A split session of the Legislature, to permit one period for introduction of bills, a second for their discussion, and a third for their passage. This would meet Democratic objections that there had been no opportunity for discussion of legislation under the Dewey control of the Legislature for the last seven years.

Appointment of a "little Hoover" commission of representative citizens to recommend possible reforms in state government practices, a move already opposed by the Governor.

Submission to the voters of a proposed bond issue of half a billion dollars for new school construction, to be matched dollar for dollar by the localities to provide a maximum of a billion dollars worth of new schools in the next five years.

Increase in the per capita state aid for localities from $6.75 a person to $10.

Would Extend Rent Control

Extension of state rent control with a clause making it operative, in some cases, even if federal controls of some sorts were still in effect.

Appointment of legislative commissions to study all new possible sources of water supply for New York City and the entire state; to investigate the increase in sex crimes and possible rehabilitation of habitual sex offenders, and to study the entire question of the aged, from the point of view of employment, increased relief and increased pensions.

Enactment of legislation to end segregation in the New York State Guard, with the Democrats contending that present rules, recently put in force, do not do so.

The legislators received outlines of all of the proopsals presented at the recent hearings, and voted informally on each proposal. Many of the proposals were shelved because they were regarded as purely administrative rather than legislative in nature, and others were left for consideration between now and the start of the legislative session.

Blame Indifference Of Chicago Cops For Mob Attacks On Nearoes, Jews

Police were blamed this week for four nights of disturbance at 5643 Peoria st. and vicinity, climaxed by rioting in which the mob grew from 50 persons on the first evening to an estimated 5,000 on the fourth night.

A rumor that Negroes were moving into the neighborhood set off demonstrations Tuesday which later developed into attacks on Jews.

Police were rapped for fraternizing with members of the mob on friendly terms and refused to disperse the crowds.

During the clashes 54 persons were arrested and 13 were injured. At least 100 police officers were summoned to special duty at the peak of the fray to quell the mob.

THE LIST OF INJURED

Among the injured were two Negroes and three policemen. The list includes Grumes M. Cummings, 20, of 5623 Elizabeth st., a Negro busboy; Lerias Faniel, 34, of 10750 South Glenroy avenue, a colored welder; policemen John McNally, 38, of 4901 West Adams st.; Charles Sykes, 39 of 1254 North Kedzie st. and Joseph Ternes 40, of 7953 South Green st.

Identified as ringleaders in the disturbances were Frank Curtis, of 1040 Garfield blvd., a senior clerk for the Park District and Edward Burns of 5504 South Halsted.

Aaron Bindman, secretary-treasurer of a CIO Warehouse and Distribution Workers union local, told the Defender the following story this week:

He stated that the unrest started Tuesday evening when he invited eight Negro shop stewards and 10 whites to his home at 5643 Peoria st., to meet Yousiki Karaki, a Hawaiian representatve of the CIO who attended the union convention in Cleveland recently.

"GET N . . . RS" OUT

"I was told," Bindman said, "If you like this building and intend to stay here, you had better get those N . . . is out of here, if you want to be happy and have some peace."

Mr. Bindman explained he and William Sennett had just recently purchased the home.

"The mob broke windows in the home, chanted slogans against Jews and Negroes. They attacked Jews and any stranger that were in the neighborhood. Still police made no direct attempt to break up the crowds." At present police have the situation at 57th and Peoria under control.

In a statement on the disturbances last week, Mayor Martin H. Kennelly said: "Chicago has a reputation for the friendliness of its people in their relation with each other which has increased year by year.

"Nothing must be allowed to happen which would disrupt this relationship, particularly anything due to differences of race or relion.

"Recently, however, some incidents and disturbances have occurred in our city which cause disorder in the community.

"EXPECT FULL COOPERATION

"Any assembly which tends to create disturbance and disorder can have no place in Chicago.

"Wherever there are disturbances of any kind there will be found the influence of subversive groups and individuals who thrive upon disorder. These influences also have no place in Chicago.

"It is the responsibility and obligation of the Police Department to preserve the peace. We shall also expect the full cooperation of all citizens of this end.

"Law and order must and will be preserved in Chicago."

,000 Whites Stone House Of Negroes

CHICAGO, July 27 (R).—Four undred policemen were guarding Negro family's house here oday after a stone-throwing which followed the Negroes' moving into the "white" neighbourhood of the city.

One thousand whites gathered on Monday night when Roscoe Johnson, fifty-two-year-old university philosophy graduate, entered his newly purchased house.

His wife is a public welfare social worker.

Stones were thrown and all the windows smashed.

Flares were flung and the police put out several small fires

Seven white men were arrested

32 More Are Arrested In Chicago Racial Fuss

Chicago, Nov. 13 (AP) — Thirty-two persons were arrested last night and early today after two assaults occurred in a South Side neighborhood where disorders have been reported during the past five nights.

Two men were beaten. Most of those arrested were charged with disorderly conduct.

Since the outbreak of sporadic street demonstrations in the neighborhood of the 5600 block of South Peoria Street Tuesday night, 58 persons have been seized. Many of them were juveniles.

First Negroes Held In Fuss.

Police said the tension was stirred up by false rumors which continue to persist, that Negro families are to be moved into the area.

Five Negroes were among those held after the incidents last night. They were the first Negroes arrested in connection with the trouble.

One of the incidents last night culminated in the beating of Edward Harris, 24, Chicago, a Negro student at the University of Chicago. He told police he was attacked by a man after he (Harris) had asked the man whether he was a Communist.

Aren't Hurt Seriously.

Police said Harris had a knife with a 6-inch blade in his pocket. He was charged with carrying a concealed weapon.

The other assault victim was Carnes Cummings, 20, who said three men chased him into an alley and pummeled him. Cummings also is a Negro. He was not arrested.

The two men were not injured seriously. They brought to five the number of men reported injured since Tuesday. One of those hurt was a policeman.

Eight of the youths arrested earlier asked for jur ytrials when arraigned yesterday on charges of disorderly conduct. They were directed to appear November 21 in the jury branch of Municipal Court.

Most of the others are to appear in court tomorrow

Chicagoans Riot In False Belief Negro Is Living In White Area

Chicago, Nov. 11 (U.P.) — Two hundred police quelled a disturbance early today at a South Side home where thousands of persons gathered and some threw rocks and other missiles.

William Gremley, spokesman for the Chicago Council on Human Relations, said the crowd apparently assembled in the mistaken belief that a family of Negroes had moved into the house, located in a back-of-the-yards neighborhood.

Chief of Uniformed Police Raymond Crane estimated the crowd numbered 10,000 shortly before midnight. Gremley said he believed considerably fewer persons were involved.

Eleven persons were arested and an undetermined number suffered bloody noses, black eyes, and other minor injuries.

The neighborhood is about a mile from the nearest Negro district, although several scattered families of Negroes live four or five blocks away, Gremley said.

Gremley said the house where the crowd gathered is occupied by an official of the C.I.O. Longshoremen's Union.

The disturbances began Tuesday night when a meeting of union stewards, including several Negroes, was held at the house to hear a report on the recent Hawaiian dock strike, Gremley said.

Mob Besieges New Owners

Afro-American

150 Policemen Sent; 6 Whites Arrested

Sept 8-6-49

2,000 IN GROUP

38c

Baltimore Md.

Rioters Jeer Former Urban League Head

CHICAGO — The couple whose home was stoned and set on fire last week stated afterward that they will not let hoodlums frighten them out of their home. "We purchased the property last month and we plan to stay in it," the wife, Mrs. Roscoe C. Johnson, asserted.

Six white hoodlums were arrested last Tuesday in connection with the new outbreak of violence against colored property owners in tension-torn Park Manor. They will be given hearing on Aug. 4 before Judge Joseph Drucker in Boys' Court here.

Police said the young hoodlums were members of a mob of more than 2,000 persons who on Monday night stoned and set fire to the home of Mr. and Mrs. Johnson at 7153 St. Lawrence Ave.

More than 150 policemen were rushed into the area to disperse the mob and to restore order Monday night; and Capt. William Wells of the Grand Crossing station said that he was detailing 15 officers to guard the two-flat building on Tuesday.

Besieged Home 4 Hours

Trouble began on Monday afternoon when the new owners were moving into their home, as the first colored family in the block. Johnson told officers, stating that several hoodlums set two mattresses on fire.

"Things really got hot at sundown," he added, saying that hundreds of persons milled around the house for four hours, armed with bricks, incendiary bombs, and flaming torches.

"They shouted 'we want blood,'" he continued, stating that the mob's behavior was just like one would expect of the Ku Klux Klan. The street was blocked and some of the savage persons began to throw stones at the house, he said.

Johnson, a postal employee, charged that policemen on duty refused to act and mingled with the crowd even when incendiary bombs were thrown through the downstairs windows and firemen had to be summoned to put out the flames.

A. L. Foster who had outstanding experience in dealing with interracial problems while serving as executive secretary of the Chicago Urban League, took it upon himself to go to the scene of the disorder and mingle with the mob.

No One Safe

As a result of his experience, he declares, 'No colored person, unarmed and unescorted by police, is safe in any community in these United States."

38c

Foster who was admitted into the restricted area through his ANP press card, said he based his conclusion upon the fact that the mob was composed of citizens from every part of the United States; that they were not hoodlums and irresponsible youngsters, and that they were not restrained by their elders or by the police.

'The feelings of hatred are so strong in the hearts of a majority of white Americans that a mob can easily and readily be formed in any community and a colored person attacked."

Called Vile Names

During his two-hour tour of the zone, Foster was called the most vile names imaginable and frequently kidded about FEPC, anti-lynch legislation and the poll tax. He found it significant that so many of these people were acquainted with these questions.

From his interviews with members of the mob, he found that they did not like or respect colored people and did not want to live near them. Foster chief despair is that the police are not working effectively in these situations; that they are not protecting colored persons or disarming the mobs.

Police Guard Home Of Chicago Negro

The Advertiser Montgomery Ala.

Wed. 7-27-49

CHICAGO, July 26 —(AP)— A police detail guarded a Negro family house in a white neighborhood today after a rock-throwing disturbance.

Last night a crowd of 1,000 persons gathered when Roscoe G. Johnson, 52, Negro and a Northwestern University graduate, moved his family into a house he recently purchased on the southwest side.

Police dispersed the crowd and arrested one white man, George Johnson, 21, a carpenter. Johnson, accused of hurling a brick at the Negro's house, was charged with malicious mischief. His case was set for hearing Aug. 11.

Other rocks and road flares were thrown during last night's disturbance. Police put out several small fires.

MOBSTERS IN CHICAGO HOUSING FIGHT TO BE TRIED UNDER ANTI-HATE ORDINANCE, NEW STATUTE

Black Chicago Defender 8-6-49 Nat.

Many Chicagoans in Jail Following Violnce And Threats When Negro Moves Into New Home

38c

BREAKING DOWN OF LAW AND ORDER DENOUNCED

CHICAGO. — (ANP) — Negro leaders here denounced the violent prejudice and hatred demonstrated in the Park Manor area during the past week against a Negro family that moved in a white neighborhood.

Several hundred police are patrolling the territory, hundreds of whites are constantly milling around in mobs shouting threats and insults at Negroes, and the area around the Negro's home has been designated as "off limits" to most people.

Center of the controversy are Mr. and Mrs. Roscoe C. Johnson who moved into their new home at 7153 St. Lawrence ave. a week ago. Johnson is a federal civil service employee, and Mrs. Johnson works for the Chicago Welfare association.

More than a dozen mobsters have been arrested in connection with the violence. They will be tried Aug. 4 under the city's new anti-hate ordinance which calls for a jail sentence up to six months and/or fines up to $200.

This law makes it a misdemeanor for a person to spread or encourage violence or hate against a person because of his race, religion, or color. It was passed by the City council in 1947 following the Frenwood housing project violence in Chicago.

The critical stage of the violence is not yet past, according to police and local civic leaders, but most of the mobsters are limiting their action to name calling.

According to members of the Mayor's Commission on Human Relations, Ald. Archibald J. Carey Jr., and other civic leaders who have been on the scene of tension throughout the week, most of the whites involved in the violence live in the area.

They have expressed hate of the Negro people, and have said they want no Negroes there. This area was a restrictive covenant area before the recent U. S. Supreme court decision outlawing such documents.

Every member of the Mayor's Commission on Human Relations has spent all his time in the Park Manor area during the past week. Bill Gremley praised the work of the police department in holding down the violence to breaking of windows and stoning of automobiles. He said:

"Although the police department was caught unprepared the first night, since then it has had everything under control. The officers are doing a good job."

Other observers praised the work of police officers, too, but most of them criticized a number of individual officers for sympathizing with white mobsters rather than protecting the Negro victims.

Both Negro aldermen, Ald. Carey and Ald. William H. Harvey, have kept tab on the scene of activity, and so has the white alderman of the Sixth ward where the attack took place—Ald. Francis J. Hogan.

"It is amazing, shocking and disappointing in this day and age that respectable persons should be assailed aid their property attacked because they moved into a home where surrounding property is occupied by a different race, Ald. Carey declared.

"It is disheartening to see police fraternizing with people in this area who for the most part either threaten violence or demonstrate a thoroughly un-American hatred.

"However, I want it understood that the police department is doing a good job. Chief of Uniform Police Ray Crane and Commissioner John Prendergast have personally supervised the hundreds of police assigned to the area. It is a credit to the department that they have prevented any greater violence."

A member of the trustee board of the Chicago Sanitary District and well known politician who was forced to leave his home in Memphis by machine boss Crump for holding out for the right to hold Wilkie rallied, Dr. J. B. Martin blamed Mayor Martin Kennelly for the violence because of the mayor's objection to the recent Carey proposal which would have outlawed segregation and discrimination in housing developments built with the aid of government funds. He said:

"I think Mayor Kennelly is largely responsible for the Park Manor incident. As mayor of the second largest city of the United States located in the state of Abraham Lincoln, it was an outrage for him to make a statement endorsing jim crow housing as he did at the time of the Carey amendment.

"Many young people, thinking him an outstanding mayor, have believed what he said, and they are among the most active in the Park Manor disturbance."

Robeson Refused In Chicago Hotel

Pittsburgh Courier

CHICAGO — (ANP) — Despite threats of a law suit, the manager of the prominent Hotel Sherman refused to give Paul Robeson accommodations in the hotel during his recent stay here.

Nov 5-49

The manager, Virgil Byfield, had an explanation which was: "We refuse to have Mr. Robeson as a guest in our hotel not because he is a Negro. He has been accommodated at the Sherman in the past. Nor because he allegedly is a Communist. I know nothing definite about his political affiliations. But he won't get a reservation simply because he is a bad citizen of this country."

Cops Guard Tense Area In Chicago

In a move to avert a possible riot, Chicago authorities late last week tossed 58 white hoodlums into jail and assigned extra-heavy police guards in two neighborhoods.

In one area, the southwest side, the report that attracted a milling mob of disgruntled whites was false. As a result of a union meeting in a neighborhood home, attended by a mixed group of workers, rumors were circulated that Negroes were going to live in the area.

At 74th street and South Parkway, mob action was again threatened when Negroes were moved into an apartment building they had purchased.

The third flare-up occurred when whites found the NAACP Youth Council in a Chicago suburb had thrown a picket line around a biased restaurant. The climax in this affair came when the home of one of the female student pickets was burned.

A four-block area around 50th and Peoria sts. was the scene of the first interracial clash.

It started last Monday following a meeting at the home of Aaron Bindman, white, secretary-treasurer of a CIO Warehouse and Distribution Workers Union, at 5643 South Peoria st.

About five Negroes including the wife of one were among the group who attended the meeting.

Riot Victims Sue City for $25,000

CHICAGO (ANP)—A postal employee and his wife, whose newly purchased apartment house in an all-white neighborhood was mobbed by hoodlums last July, filed suit last week demanding $25,000 damages from the city of Chicago.

Roscoe Johnson, and his wife, Ethel, are now living in the apartment which was the target for stones and a gasoline flare tossed by a mob of 500 whites. More than 300 policemen were assigned to the scene and 16 were arrested in two days.

The suit, filed in Circuit court, asks $5,000 property damages and $10,000 each for personal injuries to Johnson and his wife.

Blood Flows In Chicago's "Black Belt"

CHICAGO (Special) — Chicago's South Side was fuming and the area around South Peoria St. resembled a miniature battlefield for five nights beginning last weekend as white hoodlums (allegedly the holdover members of the Capone and other big-time gangs) clashed with Negro citizens as the thugs imported from across town attempted to uphold the tenets of a restrictive covenant governing a neighborhood adjacent to the South Side.

Reports had been spread that Negroes were moving into the area bounding the tenement-ridden Black Belt. White citizens in the area are reported to have brought in the hoodlums to prevent the colored residents from taking over—and then the trouble started.

Police contingents have been reinforced and special policemen placed on duty, while various groups are meeting protesting the five-day reign of terror in which more than 3 score arrests were made and slight to serious injuries sustained by hundreds.

False Rumor Fans Flareup

Rioters Out to Fend for Lily-White Area

SEVERAL INJURED

Mob Victims Accused of Being Communists

CHICAGO — Thirty-two persons were arrested by Sunday as some 400 policemen attempted to keep order as several thousands of persons were involved in racial disturbances in a South Side, hill-billy populated neighborhood here. Of those arrested, all but five were white.

The arrests were made in a half-mile area as police squads toured the streets, keeping persons moving and dispersing groups that formed on street corners.

The disturbances were blamed by the Chicago Commission on Human Rights on the mistaken belief that colored families intended to move into the neighborhood.

Attack "Suspected Reds"

The crowds of white hoodlums beat and kicked several persons, including a car-load of University of Chicago students they suspected were members of groups they believed were trying to help colored persons move into the neighborhood. In most instances the thugs accused the victims of being Communists.

One of those beaten was Edward Harris, 24-year-old student at the University of Chicago. He said that before he was beaten he was asked whether he was a "Red." Harris was arrested and charged with possession of a concealed weapon by police who said he had a six-inch blade knife on him.

Also beaten was Carnes Cummings, 20, who said that he was pummeled by three men who chased him into an alley. Neither of the men was seriously injured.

Disorderly Whites on Guard

Focal point of the trouble was a two-flat building at 5642 S. Peoria St., into which, it was rumored, colored families intended to move. For at least three evenings during the week disorderly whites had congregated around the building.

Police Lt. Leroy Steffens said the false rumor grew out of neighborhood gossip about a small private meeting, Monday, of colored and white persons in the home of Aaron Bindman, an official of a local union of CIO Warehouse Workers.

Eleven persons were arrested on the night of Armistice Day as an undetermined number suffered bloody noses, black eyes and other minor injuries in scuffles.

Twenty-one more were locked up on Saturday night as a larger police complement went into action.

A jeep was overturned, but its three occupants were unharmed. One man was arrested after he was found to be carrying a blackjack. The sleeve of one patrolman's coat was burned away by acid thrown from a crowd he was trying to quell.

Many of the persons beaten were police plainclothes men who moved through the crowds "talking down" the excitement and urging the hoodlums to return to their homes.

In the meantime, several miles away, at 7407-09 S. Park Ave., three colored families moved into the two downstairs apartments of the four-flat building on Armistice Day, without any incident marring the moving.

Police, assigned to guard the building, remained all night, but reported no hint of trouble. The building had been purchased by the new tenants several months ago.

Chicago Adopts Non-Segregation Housing Policy

CHICAGO, Ill. — (NNPA) — Non-segregation of races will be Chicago's policy for its new public housing projects under the Federal Government's multi-billion dollar housing program, Robert R. Taylor, chairman of the Chicago Housing Authority, said Monday, Dec. 12.

He commented after a spokesman for the Public Housing Administration in Washington had said racial segregation in public housing projects will be left up to local authorities, as long as the number of units is apportioned fairly among both colored and white families.

"We have not yet received the PHA statement of policy on this matter," said Mr. Taylor, himself a colored man. "However, in our opinion, both the Federal Constitution and the Illinois civil rights act specially prohibit discrimination or segregation which is merely a form of discrimination, in the operation of public housing in Illinois."

WILL OBEY THE LAW

"We will continue to obey the law and will not discriminate or segregate in the operation of the new Federal housing program as it is applied in Chicago."

In Washington, it was said the new PHA policy is expected to be set out formally in a few weeks as the new housing program gains momentum.

The question of racial segregation in federally subsidized dwelling units was raised after the recent announcement of policy to ban Federal Housing Administration insurance of private housing on which racially restrictive covenants are recorded in the future.

Basically, the PHYA spokesman in Washington said, there will be no change in the present practice of letting each community decide whether to have separate projects for racial groups under the new public housing law.

But he said more explicit instructions will be issued to make sure that the over-all construction program in each community is properly balanced to meet the needs of low income families in each racial group.

Family Defies KKK Efforts to Chase It Out of Town

3 Bomb Blasts, Fiery Cross Burning, Threats Fail to Terrorize Group Fighting for Home

SHAWNEE MISSION, Kans.—Gathered in a 100-year-old frame house as though it was a fort, members of a colored family of this town recently repelled three attacks upon them by white mobsters armed with bombs who attempted to terrorize them into leaving town.

The attackers, calling themselves the Junior Ku Klun Klan, have thrown three explosive bombs in the front yard of the home of Mr. and Mrs. John Smith, have hurled rocks and other missiles against the house with threatening notes tied on them and have burned a fiery KKK cross in a field across the road from the Smith home.

The Smiths and six of their 13 children were in the house when all three of the bombs were thrown. None of the occupants were wounded by the blasts, but Johnnie, 17, one of the sons, shot himself through the foot accidentally on Oct. 18, in the confusion following the throwing of the third bomb.

Guard Property Nightly

Neighbors of the Smith's have armed themselves and with the elder Smith are keeping watch over the house nightly in an effort to capture the assailants. The Johnson County sheriff and his deputies are also on the lookout for the law violators.

The first bomb was thrown into the Smith front yard Oct. 13; the second on Oct. 15; and the third, on Oct. 18. Between the first and second bombs, rocks were thrown against the house with notes tied to them. The notes, turned over to county law enforcement officers read:

"All n - - -s in Shawnee that want to be alive in 1950 be out of Shawnee by December, 1949."

—JUNIOR KKK

"Better be a live chicken than a dead hero. Get your — out of Shawnee by December, 1949."

JUNIOR KKK

The fiery cross, about 4 feet high and 30 inches wide, was burned in a field directly across the dirt road from the Smith house. Smith said that on the night he saw the cross burning, he fired four shots with his shotgun and rifle at the eight or ten men he saw walking behind the tall bushes which surrounded the field.

Family Defies Threats

The Smiths, who have lived in the community for 30 years, with the exception of 10 years spent in South Park and Kansas City, have no intention of moving out of the house in which they live because of the bombing and threats.

The Smiths are living in an old house which has been owned by colored families for 69 years. They attribute the attack upon them to the fact that they have the largest number of school-age children of any colored family in town, who create a problem for school authorities who are attempting to maintain lily-white schools.

"When they see all of our children and grandchildren, they know that it will be a long time before all of them get out of school and they will have to operate a separate school for them that much longer," Mrs. Smith stated.

Other Theories Advanced

Another theory advanced for the terror move is that real estate interests, which are building a new housing development for whites only just a block from their house, want them to abandon their home.

Still a third theory is that the bombings were done by persons outside of the Shawnee community. White residents in the area said they never have had any trouble with the Smith family and did not believe that Shawnee people would commit such acts of violence against a family which had been good neighbors.

Lawyers Advised Client to Use Gun, If Necessary

White Vandals Attack Home Defendant's Mother Purchased; 2 Suspects Set Free

RICHMOND — Whether James H. Crews had a right to use a shotgun to defend his property, under attack by white vandalls, will determine if he is to be punished or freed for the shooting of a white man, Judge M. Ray Doubles indicated here on Nov. 22 in Hustings Court, Part 2

He so indicated after hearing oral arguments of attorneys and testimony in a case in which Crews is accused of wounding James H. Cheek, white, while Crew's home was under attack. Final arguments will be held Dec. 12.

Crews' Testimony

Crews testified that he fired a shotgun out of a window of a home his mother had recently purchased at 3071 Midlothian Pk. (previously an all-white block) in an effort to scare off a group of men who were firing guns into the house.

He said his wife and younger brother were cleaning up the place preparatory to moving in the next day, and had planned to spend the night in an effort to prevent further damage by the white hoodlums.

(When an AFRO reporter inspected the property the day following the shooting (Aug. 9), it was found that vandals had broken out nearly all of the window panes, pockmarked the plaster on the walls, ripped out a part of the plumbing, and flooded the house with water.)

Heeded Attorneys

City Councilman Oliver W. Hill, of defense counsel, told the court he had advised Crews to protect himself, his family and property with the firearm, if necessary. He contended that the man had a right to do so.

Martin A. Martin, also of defense counsel, told Judge Doubles that Crews, in firing at his attackers, did the same thing that he or any other right-thinking citizen would have done under similar circumstances.

Family Threatened

Commonwealth's Attorney Charles E. Maurice, called it a "miracle we are not here trying a murder case," and said there was no evidence other than his wound, to connect Cheek with "some men Crews could not identify" who allegedly shot at the house.

Teddy L. Hall, who has acquitted along with Cheek, admitted under cross-examination that he had told a member of the Crews family "there might be some trouble" if the family moved into the house (next door to his home).

Michigan

Negroes Sue Township Over Building Homes

Grand Rapids, Mich., Aug. 3 (AP)—Forty-eight Chicago Negroes filed a $155,000 damage suit against a Michigan township in Federal Court today. They charged they have been denied permission to build dwellings on property they own because of their race.

Their complaint attacks a zoning ordinance of Lockport Township, St. Joseph County, Mich., which prevents certain property owners from building on land of less than 20 acres. They alleged the ordinance was passed after they bought the land.

In addition to the damages, the plaintiffs ask an injunction restraining the Township from enforcing the ordinance, and a test of constitutionality.

Property Owners Settle Out-Of-Court

CHICAGO —(ANP)— A suit in which a group of 50 Negro property owners charged the township of Lockport, Mich., and its officials with passing a zoning law to keep them from building there was settled out of court last week when the town agreed to let the landowners build.

The town has agreed to allow the purchasers of a whole section of Lockport to build homes on their plots and to keep small amounts of livestock there without any interference from officials. Lockport has further agreed to amend its zoning ordinance which would have prevented Negroes from constructing homes there.

If the town has issued building permits to Negroes and has amended its zoning laws by the opening of the March term of federal court the plaintiffs have agreed to withdraw their suit.

Oly precaution to be taken by the new settlers is that they abide by the city's building code. William Henry Huff of Chicago was attorney for the plaintiffs.

HOW RIOTS ARE SPAWNED:

Leaders, J C Schools Blamed for Pool Feud

Afro-American Dat. 8-13-49

ST. LOUIS (ANP)—Blame for racial tensions over the use of swimming pools at Fairgrounds Park last June 21 by colored people, was placed last week on public officials, civic, religious, business and labor leaders, and Missouri's segregated school system.

This was the opinion of George Schermer, director of the Detroit Mayor's Interracial Committee, who made an investigation of the disturbances for the St. Louis Council on Human Relations.

At least 12 persons were injured seriously enough to require hospital treatment when fighting broke out after the Director of Public Welfare ordered that colored people be admitted to the city's swimming pools.

Officials Erred

Schermer assessed the blame not upon what the persons accused had done but upon what they had failed to do.

His report implied that community leadership had failed to prepare all the citizens for adjustments which changing population, economic and social conditions are bringing about here.

White Gang Blamed

He placed immediate blame for the outbreaks on a loosely-organized gang of older white boys and young men ranging in ages from 17 to 23 years.

Photographs indicate that these young men "were in the center of several affrays where colored people were most brutally attacked. "This gang", he added, "hang around together, play together and fight together, and several of them have police records."

Schermer severely criticized the Commissioner of Parks and Recreation who, for eight years, "bolstered and encouraged segregation and discouraged inter-group participation," and the Public Welfare director who failed to hold a staff conference prior to his decision to open the pools.

Sympathy for A Friend Leads to Trouble Because Friend Is Negro

Chicago, Ill. Defender Sat. 11-19-49

ST. LOUIS—When 24-year-old white Navy veteran, Edwin Richardson, put the democratic principles of equal living into practice by moving into a home that he and his Negro friend, David Simms, had bought in an all-white residential area, his troubles really began.

Richardson's neighbors protested this democratc arrangement loudly and there were hints that violence might result. They demanded that the veteran of three years in the U. S. Navy oust Simms, his wife and four children.

Undaunted. Richardson and a friend, Tom Warner, mimeographed leaflets urging cooperation and democratic living and began to place these in the neighbors' mail boxes.

The police, at the call of the neighbors, arrested Richardson and Warner on Monday afternoon, claiming that they were guilty of violating postal regulations by placing leaflets in mailboxes. Federal officers made no such charge and ordered Richardson's release.

Warner had been released after several hours, but Richardson was held without charge for 20 hours and was unable to report to his job on the assembly line at the Fisher body plant.

When he reported to his job the following day, he was told that he was fired because he had been reported in as "ill" and police officers had informed Fisher Body officials otherwise.

Richardson said he was "ill" on Tuesday and that was the reason he had not reported to work.

Richardson, who is married and childless, says that he and his wife felt sorry for their friends, the Simmses when they learned one of their children had been bitten by a rat in the basement quarters where they had lived. Also, houses were $1,000 higher in the Negro neighborhoods.

Richardson, still sold on the principles of democracy, states that they will continue their living arrangement.

Property Sale to Negroes Ruled Against

JEFFERSON CITY, Mo. — (AP) —Property owners who sell to Negroes in a racially restricted area may be sued for breach of contract, the Missouri Supreme Court decided.

Last year the United States Supreme Court held that real estate agreements not to sell or lease property to persons of a particular race are not enforceable in courts.

The Missouri court held that the Federal decision did not go into another angle—whether one party to the original restriction could be sued for breach of contract.

Wed: 12-14-49

THE OPINION stated:

"According to the law as we understand it, the trial court may hear and determine an action for damages for the breach of the restriction agreement * * * without violating any provision of the Federal or State constitutions.

"We are of the opinion that an action for damages for the breach of a valid agreement need not be affected by the Fourteenth Amendment.

"The United States Supreme Court has not expressly ruled on this question as far as we are able to determine."

(The Fourteenth Amendment provides that no state shall make or enforce a law that shall abridge the privileges or immunities of any citizen.)

New Jersey

Zoning May Hit Anti-American Use of Mansion

NEWARK

A possibility that 25 followers of Father Divine will have to prove that they are one family in terms of the law as well as in religion loomed this week because of a threat to invoke zoning regulations against them.

The 25 have purchased an 18-room mansion at 60 Abington Ave. in the elite Forest Hill section of the city.

Zoning board officials said the property may be used only as a one family home.

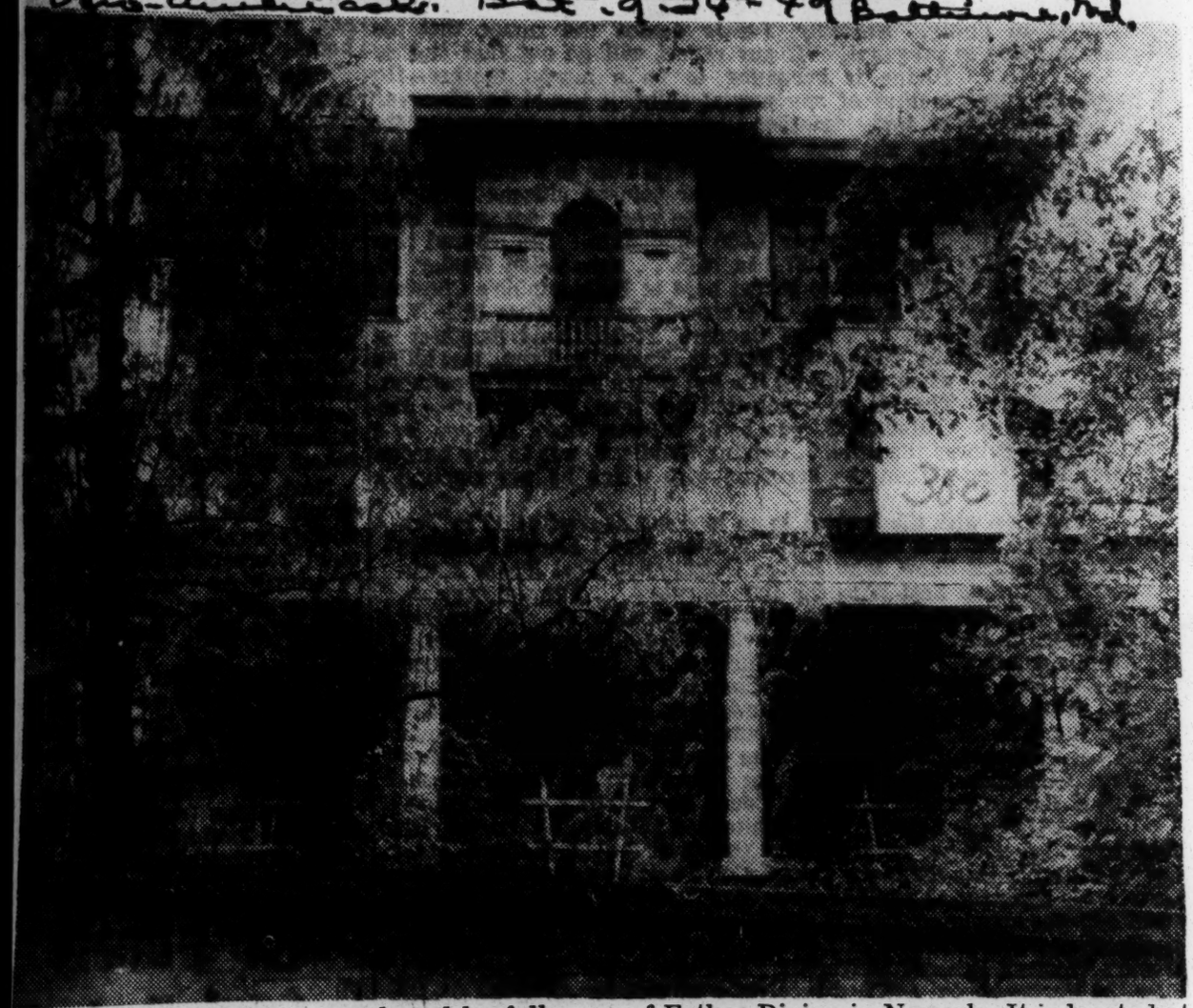
One Newarker, who gave her name as Martha Wisdom, and 24 other "angels" from New York and Philadelphia, paid about $20,000 for the property, records at the Essex County register's office showed.

The property was transferred from Lambert and Georgina Schoof to 25 purchasers as joint tenants with right of survivorship.

Operated as a boarding house, the property ownership will remain with surviving members of the group, some having such signatures as Honey Bee Love, Beautiful Smiles, Habakuk Snow White, Joy Praise, Meekness and Willing Heart.

Father Divine has purchased real estate valued at nearly $200,000 in Newark during the past nine months. The Forest Hill property is not included.

Will Zoning Law Bar This as Mission?



Here is newest property purchased by followers of Father Divine in Newark. It is located at 360 E. Abington St. in Forest Hill section previously exclusively white, zoned for one family.

New York

38c 1949

Negro Tenant Defeats Trespass Frameup

A malicious trespassing charge against Miss Marie Buford, young Negro tenant of 1263 Grant Ave., Bronx, was thrown out of court yesterday by Magistrate Harry Andrews, who confirmed Miss Buford's right to occupy the apartment in question. The trespassing charge was brought by Simon Metrik, of 170 Broadway, landlord, in an attempt to have Miss Buford jailed for defying his discrimination against Negroes and occupying the apartment. Miss Buford was invited to occupy the four-room flat by Mr. and Mrs. Norman Wohlburg, the legal tenants, who left the city temporarily.

Mrs. Wohlburg appeared in Magistrate's Court yesterday, 161 St. and Third Ave., and testified that Miss Buford had occupied the apartment at her request, that she was continuing to pay the rent and was retaining legal occupancy of the apartment.

Upon the conclusion of Mrs. Wohlburg's testimony, Julius Trupin, attorney for Miss Buford and former CCNY basketball star of the Thirties, addressed the court, charging Metrik with blatant anti-Negro discrimination.

Trupin asserted that Metrik's action in attempting to make a criminal case against Miss Buford stemmed solely from anti-Negro bias, as did his attempts to remove her from an apartment to which she was entitled to legal occupancy.

Shortly after Miss Buford occupied the apartment, in the course of a conversation between her and Metrik, the landlord told her bluntly: **"I don't want Negroes living with whites in my house."**

The courtroom was filled with neighbors of Miss Buford before the case came up for trial, and Magistrate Andrews called attention to a stack of telegrams lying on his desk from tenants supporting Miss Buford in her attack on segregation.

Still pending is an action by the landlord to evict Miss Buford through a civil proceeding, which he initiated but did not

Bar Homes To 6 Negroes In Levittown

Six Negro veterans who attempted to purchase homes were told yesterday by William J. Levitt, builder of the notorious lilywhite Levittown, that he would not sell them houses because they were Negroes.

The six veterans had stood on line at Levitt's office at Roslyn, L. I., for two days, Saturday and Sunday, to get priorities for the purchases and returned yesterday to make the purchases. White veterans who had similar priorities were sold the homes, new houses that were just completed, while the Negroes were told personnally by Levitt that he would not sell to them because of their race.

When the veterans disputed his right to refuse to sell, Levitt then called the police and had them ejected.

The Negroes then saw Nassau County District Attorney James N. Gehrig and attempted to swear out a warrant for Levitt's arrest for denial of civil right, but Gehrig

town development is the largest individual housing development in the country.

These "restrictive covenant" clauses in Levittown were uncovered by the Daily Worker. The Supreme Court in a decision last year declared that these clauses were not enforceable by law, but did not outlaw them.

First Family In Stuyvesant Still There

NEW YORK — (ANP) — Mr. and Mrs. Hardine Hendrix and their little son, Hardine, Jr., who moved into an apartment in the restricted apartment house project, Stuyvesant Town, some weeks ago are still there. They are not regular tenants because the Metropolitan Life Insurance Company which built and owns the project will not permit Negroes to live there. But Jesse Kessler and his wife, who were going on vacation, invited them to occupy the apartment until Labor Day while they were away and the Kesslers have now returned.

Questioning of tenants Tuesday revealed that most of those asked felt no resentment at the Hendrix moving there. Most of them had not even seem them or met them.

NEGRO 'HOUSE GUESTS' OCCUPY MORE SUITES

Five Stuyvesant Town families in addition to Dr. and Mrs. Lee Lorch are having Negroes as house guests and several more tenants soon will invite Negroes to use apartments for varying periods of time, it was announced yesterday by the Town and Village Tenants Committee to End Discrimination in Stuyvesant Town.

A committee spokesman said the five families had introduced their Negro guests at a party Saturday night in the housing development. The part was in honor of Paul L. Ross, committee chairman and American Labor party nominee for controller.

Referring to the refusal of the Metropolitan Life Insurance Company, owner of Stuyvesant Town, to rent to Negroes and its refusal to accept the rent of tenants who permit Negroes to live in the apartments, Mr. Ross said:

"The tenants are proving that the legal curtain behind which the Metropolitan is hiding with the assistance of Mayor O'Dwyer is not strong enough to keep out democracy."

The tenants who introduced Negroes as house guests to the 200 persons at the party were Mr. and Mrs. David Smith, Mr. and Mrs. Nathan Lampert, Mr. and Mrs. Seymour Kornblum, Mr. and Mrs. Leo Miller and Mr. and Mrs. Jesse Kessler.

Covenants Still Power

NEW YORK — (ANP) — Despite the recent U. S. Supreme court ruling outlawing racial restrictive covenants, these documents still are in power, a survey of real estate and banking leaders revealed here last week.

Many bankers making loans on property honor covenants on the basis that if one has been broken it has a "cloudy title." Most of them would not be quoted by name, but they admitted that covenants still had lots of power.

A Cleveland banker called it "damn poor business" if there were any possible chance for litigation (which usually refers to property covered by covenants." From Chicago a member of the Chicago Real Estate board said selling property to races barred by covenants (usually Jews and Negroes) would lower its value. An Atlanta banker agreed, "It is not a question of races but of a drop of value on property." A Memphis Negro banker even joined the procession. He said a bank would take a great risk to lend money on property sold in violation of a covenant.

In San Francisco one realtor debunked the "Cloudy title" issue by calling it an "out" for those who do not want to sell property to "the wrong people."

"We just aren't talking about covenants any more," he said. "We know they aren't worth the paper they're written on."

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 111

Stuyvesant Town Negro Ban Upheld by Court of Appeals

Special to THE NEW YORK TIMES.

ALBANY, July 19—The Court of Appeals, in a 4-to-3 decision, ruled that the Metropolitan Life Insurance Company had the right to bar Negroes from its Stuyvesant Town housing project. The high court affirmed lower court rulings dismissing an action brought by three Negro war veterans who had applied for apartments in the housing project.

Also dismissed was a taxpayer suit brought by Shad Polier, vice president of the American Jewish Congress, seeking to bar discrimination against Negroes in Stuyvesant Town and to restrain the city from granting tax exemption to Stuyvesant Town and the Metropolitan Life Insurance Company unless they ceased their discriminatory policies.

In the majority opinion, Judge Bruce Bromley asserted that the Legislature "deliberately and intentionally refrained from imposing any restriction upon a redevelopment company in its choice of tenants. Attempts repeatedly made in the Legislature since the law was enacted to alter the policy of the statute in this respect have failed.

"On the other hand," Judge Bromley added, "the Public Housing Law, which is applicable to state-constructed low-cost housing projects, expressly prohibits discrimination. There is no claim that the Legislature refused by amendment to make similar provision in the Redevelopment Companies Law because it thought the statute already barred discrimination, and it is undisputed, therefore, that the legislative intent is clear to leave private enterprise free to select tenants of its own choice."

In their arguments before the high court, the plaintiffs contended that discrimination against Negroes in Stuyvesant Town "is supported and made possible by state action" since construction of the project would not have been possible without exercise of the power of eminent domain, the power to dispose of public property, and tax exemptions.

To the contention that "discrimination by private agencies is constitutionally forbidden when it is supported, or made possible by state action," Judge Bromley asserted:

"For years it has been unquestioned that the great prohibitions of the Fourteenth Amendment are addressed to that action alone which may fairly be said to be that of the States.

Stae "Deliberately Refrained"

"The State of New York has consciously and deliberately refrained from imposing any requirement of non-discrimination upon respondents as a condition to the granting of aid in the rehabilitation of substandard areas. Furthermore, it has deliberately refrained from declaring by legislation that the opportunity to purchase and lease real property without discrimination is a civil right.

"To say that the aid accorded respondents is nevertheless subject to these requirements, on the ground that helpful cooperation between the state and the respondents transforms the activities of the latter into state action, comes perilously close to asserting that any state assistance to an organization which discriminates necessarily violates the Fourteenth Amendment."

Concurring in the majority opinion were Judges Edmund H. Lewis, Albert Conway and Marvin R. Dye. Judge Stanley Fuld dissented in an opinion in which Chief Judge John T. Loughran and Charles S. Desmond concurred.

In the minority opinion, Judge Fuld said that "while the Stuyvesant Town housing project was in blueprint and under construction, the public understood, and rightly, that it was an undertaking on which the State and the City of New York had restored the blessings and benefits of governmental power.

"Now that the development is a reality, the public is told in effect that, because Metropoltian and Stuyvesant are private companies, they are not subject to the equal protection clause (of the constitution), and may, if they choose, discriminate against Negroes in selecting tenants," Judge Fuld wrote. "The conclusion strikes me as totally at odds with common understanding. * * *"

Appeal to Be Sought

Charles Abrams and Shad Polier, counsel to the three Negroes who brought suit to compel the Stuyvesant Town Corporation to accept them as tenants, said this evening on behalf of the plaintiffs and the American Jewish Congress, The National Association for the Advancement of Colored People, and the American Civil Liberties Union, who sponsored the suit, that an application would be made as soon as possible to the United States Supreme Court for a review of the Court of Appeal's decision upholding the Stuyvesant Town Corporation.

"The decision is particularly important," said Abrams and Polier, "because of recent federal legislation providing for federal loans and subsidies of $1,500,000,000 for urban redevelopment. Twenty-five States already have passed enabling legislation, and there are ample indications that such projects unless opened to all citizens equally will become another oppressive instrument for removing minorities from their homes and creating enforced ghettos.

STUYVESANT TOWN IN COLOR DISPUTE

Metropolitan Returns the Rent of Tenant Who Let Negroes Live in His Apartment

The Metropolitan Life Insurance Company, owner of Stuyvesant Town, has refused to accept the September rent of Jesse Kessler, who allowed a Negro family to use his apartment in the housing project while he was on vacation, it was learned yesterday.

Mr. Kessler, a union organizer, said his rent of $76 had been returned in a letter from C. H. Huebner, the project's resident manager. The letter said:

"We understand that you are permitting others to occupy your apartment in violation of the terms of your lease and therefore, under the circumstances, we cannot accept your rent."

It appeared that the letter might be the prelude to action by the insurance company to break the lease. A company spokesman said, however, there would be "no comment" on the letter or on the company's plans in the case.

Meanwhile, a jury in the Bronx Municipal Court decided yesterday in favor of a landlord seeking to evict a Negro father and daughter who have been living as non-paying guests in an apartment house at 1263 Grant Avenue, the Bronx. The lessee of the apartment has not occupied the place since April.

Move Into New Apartment

The Negro family in the Kessler apartment at 1 Stuyvesant Oval moved on Sunday into another apartment in the restricted development. Its lessee is Dr. Lee Lorch, a former City College instructor, who invited the family, Mr. and Mrs. Hardine Hendrix, to use his apartment at 651 East fourteenth Street without charge for the coming academic year while he is teaching in Pennsylvania.

Commenting on the letter received by Mf. Kessler, Dr. Lorch said he expected the Metropolitan would soon write him in similar vein.

Dr. Lorch, who was dropped from the City College faculty last June and plans to institute legal action to regain his post there, said that efforts by the Metropolitan to "intimidate tenants by attempting to refuse rent money will fail."

"Tenants here are against Jim Crow and will fight Jim Crow no matter what the Metropolitan tries to do," he said.

Paul L. Ross, chairman of the Town and Village Tenants Committee to End Discrimination in Stuyvesant Town, told a meeting of the New York Tenants Council last night at the Diplomat Hotel that the "next step is for the Metropolitan to apply to the City Rent Commission for a certificate to evict the Kesslers."

"We serve notice here tonight," he declared, "that we will vigorously oppose any such proceedings, and will support the Kesslers, the Lorchs and all other tenants who may be the objects of persecution by the Metropolitan Life Insurance Company."

The Bronx court proceedings were brought by the Duplex Realty Corporation, owners of the building at the Grant Avenue address, against Miss Marie Buford and her invalid father, John. The owners charge that the father and daughter moved in May into the apartment of Norman Wohlberg, a waiter. Mr. Wohlberg left in April to take a job in Albany.

Mr. Wohlberg maintained that the Bufords were his "guests" and that he had personally paid the rent of $34 a month since they arrived. Simon Metrik, attorney for the owners, told Justice Agnes M. Craig that the "color question" was not involved and that the corporation would take the sace action against any persons who were not legal tenants.

Justice Craig said in her charge to the jury of four men and two women that the "color question was "only incidental" and that the real issue was whether Mr. Wohlberg "did or did not abandon his apartment." She previously had asked him when he planned to resume living there and he replied, "I can definitely say not before January."

The jury decided 5 to 1 in the corporation's favor. Justice Craig reserved decision on a defense motion to set aside the verdict and asked for briefs from both sides.

NEGROES TO STAY IN BANNED 'TOWN'

Instructor Offers an Apartment in Stuyvesant Development for Academic Year

A former instructor at City College announced yesterday that he had invited a Negro couple and their 5-year-old son to use his Stuyvesant Town apartment for the coming academic year while he is teaching at Pennsylvania State College.

The couple, Mr. and Mrs. Hardine Hendrix, are the first members of their race to live in the restricted housing development. They moved into the apartment of Mr. and Mrs. Jesse Kessler, 1 Stuyvesant Oval, last August and lived there as guests until Mr. Kessler's family returned from vacation yesterday.

Then Dr. Lee Lorch, vice chairman of the Town and Village Tenants Committee to End Discrimination in Stuyvesant Town, invited the couple to use his apartment at 651 East Fourteenth Street. Dr. Lorch, who was dropped from the City College faculty last June, will be an assistant Professor of Mathematics at Pennsylvania State College this year.

Dr. Lorch emphasized that he was not subletting his apartment and that there would be no exchange of money. Stuyvesant Town leases do not permit subletting.

The teacher said he was retaining possession of the apartment because he planned to institute legal action against City College in an effort to regain his teaching position there, and hoped to return to New York.

An official of the tenants' committee said that five families in Stuyvesant Town had offered to have the Hendrix family use their apartments as guests, but that Dr. Lorch's proposal had been the most practical.

Paul L. Ross, a former secretary to Mayor O'Dwyer and chairman of the tenants' committee, praised Dr. Lorch's action and pledged continuation of the campaign against discrimination "until the Hendrixes and other Negro families live among us, not just as guests but as permanent residents."

Officials of the Metropolitan Life Insurance Company, which owns the housing project, were not reached last night for comment.

Stuyvesant Town's Racial Ban Suit to High Court

Court of Appeals Upholds Policy; Dismisses Taxpayer's Plea Also

ALBANY, N.Y.—The Court of Appeals' 4-3 decision this week, upholding Metropolitan Life Insurance Company's ban against colored tenants in its Stuyvesant Town housing project, will be appealed to the U.S. Supreme Court.

This was announced Tuesday by Charles Abrams and Shad Polier, counsel for three war veterans who filed the original suit when their applications for apartments in the project were denied.

Taxpayer Loses Suit

The suit was sponsored by the American Jewish Congress, the NAACP, and the American Civil Liberties Union.

The Appellate Court also dismissed a taxpayer suit filed by Mr. Polier, vice-president of the AJC, seeking to outlaw racial discrimination in Stuyvesant Town, and to restrain the city from granting tax exemption to the project and Metropolitan Life unless they end the discrimination.

Majority Opinion

Judge Bruce Bromley, in the majority opinion, said the Legislature "deliberately and intentionally refrained from imposing any restriction upon a redevelopment company in its choice of tenants.

"Attempts repeatedly made in the Legislature since the law was enacted to alter the policy of the statute in this respect have failed."

Dissenting Views

Judge Fuld, in the minority opinion, said "the public understood, and rightly, that the housing project—while in blueprint and under construction— was an undertaking on which the State and the City had restored the blessings and benefits of governmental power.

"Now that the development is a reality, the public is told in effect that, because Metropolitan and Stuyvesant are private companies, they are not subject to the equal protection clauses (of the constitution), and may,

"If they choose, discriminate against colored people in selecting tenants . . . The conclusion strikes me as totally at odds with common understanding . . ."

Kept Out of Hotels in Bowery of All Places! N.Y. Fight On

NEW YORK—The New York Branch of the NAACP has received complaints over a period of months about discrimination against colored persons by hotels in the Bowery. A committee from the branch investigated this matter thoroughly and learned that the Madison Hotel, 250 Bowery St., and the Sunshine Hotel at 241 Bowery St., accommodate only whites.

A previous investigation by Charles O. Levy, executive secretary of the branch, revealed that the Department of Welfare was aware of the discrimination but did absolutely nothing to correct it. "It is a sad commentary on democratic procedures when hostelries that house city wards, recipients of relief who are cared for by taxpayers' money, practice racial discrimination," he stated.

The firm of MacDougal and Mais, 2309 Seventh Ave., will handle civil action to be brought against these hotels and will institute action to secure an injunction to restrain the Department of Welfare from sending recipients of relief to these hotels.

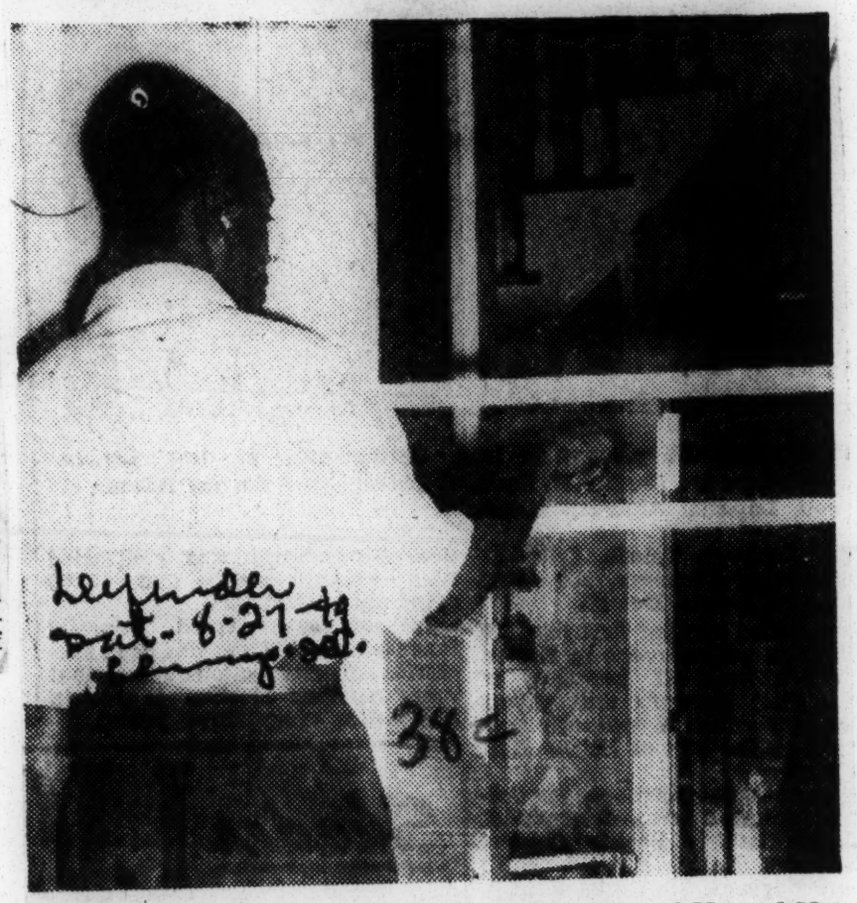
Tell Jurists Landlord Can Bar Negroes

WASHINGTON, D. C. — Private landlords have the right to choose their own tenants, owners of Jim Crow Stuyvesant Town apartment projects in New York, told the U. S. Supreme Court Saturday in a brief filed by the subsidiary of the Metropolitan Life Insurance Co. in reply to a request for a review of a New York State decision against three Negroes who had said apartments were barred to them because of race.

The case was brought by Joseph Dorsey, Monroe Dowling and Calvin Harper, all ex-GI's. The State Court had ruled in favor of the Metropolitan subsidiary.

Counsel for Stuyvesant Town told the court "it is the legal duty of the directors of Metropolitan and Stuyvesant Town, both private corporations to adopt policies which will protect the safety and investments being made for the benefits of policy holders." For that reason they have decided that Stuyvesant Town should not at this time be tenanted by Negroes.

Owners Sell Home To Negroes Despite 'We'll Fix You' Note



NEIGHBOR POINTS to hole in screen door in home of Mr. and Mrs. Charles Faber of Freeport, L. I. Arrow pierced screen bearing KKK note warning the Fabers not to sell their home to Negroes.

FREEPORT, L. I.—Despite a 'we'll fix you" note signed "KKK," attached to an arrow and shot through a screen door into a white home here, the owners sold the property to Negroes.

Mr. and Mrs. Charles Faber of 27 St. Johns pl., sold their home to a young colored family. The Fabers also received two anonymous phone threats.

Since there allegedly is no known Klan group in the community, police probing the incident are inclined to believe the threats are from some crank.

Citizens Organize

Angered by what they termed spreading threats and violence, 30 citizens banded together to combat "the rebirth of the Ku Klux Klan."

Mrs. Martha Bergmann, prominent leader of civic affairs in the community called the meeting at her home.

Said she disagreeing, with police: "This terrorism is an organized thing, and not the work of an isolated group of hoodlums."

The Negroes, who bought the Faber home are not the only ones in that block. Colored own several other houses that are just one block from what is considered the Negro community, Bennington Park.

U. S. Rejects Carolina Bid For Housing Units For Negroes Use Only

CHARLOTTE, N. C., Dec. 14—(AP)—The federal government has rejected this city's application for 400 public housing units because the project was intended for Negroes only. City officials met today to discuss a new bid.

President Truman struck out the project in line with the administration's announced policy to prevent racial discrimination in the use of public housing funds.

* * *

EXECUTIVE SECRETARY HAROLD J. DILLEHAY, of the Charlotte Housing Authority, announced the turndown yesterday. He said it would be necessary to revise the application, eliminating reference to white or Negro occupancy, if approval was to be obtained.

The Public Housing Administration has announced that segregation in projects will be left up to local authorities as long as the number of units is apportioned fairly among the races.

Officials here interpreted this to mean that after the government approves a project, the policy of limiting occupancy to Negroes can be exercised on a local level.

Zoning Laws Thrown Out

City Loses 400 Housing Units Because of Racial Restriction

Charlotte, N. C., Dec. 13 (AP).—This city's bid for 400 public housing units has been rejected because of a clause in the city council resolution which would have restricted occupancy of the project to Negro families.

The action, announced today was seen as the first local demonstration of Federal policy under President Truman's declared intention to prevent racial discrimination in the use of public housing funds.

Announcing the turndown, Executive Secretary Harold J. Dillehay of the Charlotte Housing Authority said it will be necessary to revise the local application, and eliminate any reference to white or Negro occupancy, if clearance of the local project is to be obtained.

Dillehay released his statement after talking by telephone with officials of the Public Housing Administration in Washington.

The Charlotte project was stricken from the revised list approved by President Truman, he reported.

Reason for the rejection, PHA officials said, was the stipulation that the 400 units would be open only to Negro tenants.

Sale Ignoring Race Ban Held Suit Basis

Jefferson City, Mo., Dec. 13 (AP).—Property owners who sell to Negroes in a racially restricted area may be sued for breach of contract, the Missouri Supreme Court decided yesterday.

Last year the United States Supreme Court held that real estate agreements not to sell or lease property to persons of a particular race are not enforceable in courts.

The Missouri court held yesterday that the federal decision did not go into another angle—whether one party to the original restriction could be sued for breach of contract.

The opinion stated:

"According to the law as we understand it the trial court may hear and determine an action for damages for the breach of the restriction agreement . . . without violating any provision of the federal or State constitutions. We are of the opinion that an action for damages for the breach of a valid agreement need not be affected by the Fourteenth Amendment.

"The United States Supreme Court has not expressly ruled on this question as far as we are able to determine."

(The Fourteenth Amendment to the Federal Constitution provides that no State shall make or enforce a law that shall abridge the privileges or immunities of any citizen.)

Involved in the case before the Missouri court were four suits over real estate in Kansas City in which property was sold or rented to Negroes in an area formerly tenanted exclusively by whites.

Birmingham, Ala., Zoning Law Voided

Birmingham, Ala., Dec. 13 (AP).—A United States District Court today ruled that Birmingham's racial zoning laws are unconstitutional.

Judge Clarence Mullins enjoined the city from enforcing its zoning ordinances. He said the United States Supreme Court repeatedly has reaffirmed its 1917 decision on the illegality of a zoning ordinance based on race or color.

38c 1949

Oklahoma

STATE SUPREME COURT DUCKS RESTRICTIVE COVENANT ISSUE IN OAK PARK ADDITION RULING

Black Dispatch

Mar 12 1949

Negroes Granted Property on Ruling That a Mortgage Title Is Valid

Cleveland Call

BRUCE AND ROWAN ATTORNEYS

Bruce and Rowan, prominent Negro attorneys, won a nal victory in the state supreme court Tuesday when this gal tribunal upheld the right of Negroes to own property in Oak Park addition, in an area immediately west of the state air ground tract.

38c Okla.

In its ruling, however, the court sidestepped the real stitutionality of restrictive covenants, and decided the case in favor of Roberta and Harlman Thomas Martin, Negroes, who were given title to Lots 35 and 36, block 14, Oak Park addition. Defendants in error may appeal from the decision of the court for the reason a few die-hards in the restrictive covenant issue are attempting to intimidate and force Negroes off property in Oklahoma City despite the decision of the supreme court earlier in the year.

It appears when the restrictive covenants were entered into by parties in this Oak Park area in 1928, were not joined in by the original owners of the lots at issue, but later J. W. and Elsie Guckian, owners, did sign this agreement April 12, 1928. Subsequent to this covenant the Guckians had mortgaged the property to the Local Building and Loan Association, and a foreclosure later occurred on this mortgage.

It is behind this mortgage transaction the state court sheltered itself in rendering its opinion. It took the position that the mortgage was executed without the restrictions and that the Local Building Loan later had the right to pass on the title to someone else precisely as it descended to the company. The court took the position that Guckian could not later restrict the sale of the property without consent of the mortgagee.

No Oklahoma courts to date have passed squarely upon questions involving restrictive covenants since the U. S. Supreme Court decision last January, and while the high court sidestepped the issue in this instance it did give recognition to the questions raised on this point by Bruce and Rowan when it said Tuesday in its decision, "What we have said under the second proposition renders it unnecessary to consider the other questions presented."

The decision rendered Tuesday resulted from an appeal from a decision of the deceased Judge Lewis R. Morris in which he held that restrictive clauses placed in his deed in 1928 by Guckian were sufficient to bar Negroes from purchasing this property. While the case was on appeal the Supreme Court rendered its memorable decision.

Nat Cole Sues Hotel

PITTSBURGH, April 28 (AP)—Nat (King) Cole, Negro musician, today filed a suit for $25,000 damages against the Lewis Hotel Management Corporation, operators of the Mayfair Hotel in Pittsburgh. He charged a Mayfair room clerk had refused a room to him Monday because of his race.

NEGRO OBTAINS PERMIT

Allowed To Build Residence On West Essex

The quest of more than a year for a building permit on West Essex ended yesterday when he obtained one from the city.

Smith's original application was denied by Commissioner Fredericks' office after white residents on the street offered organized objection, he said. A dividing line was established in the middle of the street by Commissioner Fredericks, arbitrarily forbidding permits to negroes on the north of West Essex. Abe Horn, attorney for Smith, insisted on a permit for Smith.

The commissioner's office persisted in its refusal, and Mr. Horn filed a writ of mandamus (requesting Circuit Court to order issuance of a permit). The city yesterday conceded Smith's legal right to a permit.

Negro's Home Hit By Bomb

CHATTANOOGA, Tenn., July 23 —(AP)—A house purchased recently by Negroes from whites was blasted by a dynamite bomb here Friday night.

The blast ripped a hole in the front porch and shattered a window. Two Negroes in the house, Woodrow Smith and and his wife, Carrie, were not injured.

Smith, employe of a combustion engineering company, reported that he knew of no restrictions prohibiting Negroes from residing on the street. He said he bought the house about a month ago.

There are no other Negro families in the block, but an adjoining section is largely populated by Negroes.

Tennessee Probes Negro Home Bombings

NASHVILLE, TENN., Dec. 8—(AP)—Police pressed an investigation today of the blasting of two houses in a proposed 300-unit Negro housing project in suburban Nashville last night.

Several residents of the Antioch Road-Woodbine Community were questioned and Gov. Gordon Browning offered a $500 reward for information leading to the conviction of those guilty.

The governor's offer was made in a telephone conversation with District Atty. Gen. J. Carlton Loser. Browning is in Chicago attending a meeting of the executive council of the National Governor's Conference.

Suit To Entorce Biased Covenants Filed In Nashville

Legal Action Taken Against White Property Owners Who Sold Homes to Colored Citizens; Move Reveals Race Prejudice May be Motive For Wanting Residential Area Put in Business Zone

Many Nashville citizens were surprised the past week when they read in the newspapers what seemed to be an attempt by local lawyers to get a focal court to set aside a ruling made by the Supreme Court of the United States.

About two years ago, the Supreme Court of the United States rendered null and voil restrictive covenants that had been entered into between owners of property and future purchases of said property to the effect that such property could never be sold to colored persons. This long had been practiced Up North as well as Down South. The legal battle to get this practice voided was waged by attorneys for the National Association for the Advancement of Colored People.

The decison in the case was written by Chief Justice Fred M. Vinson soon after he had taken his position as Chief Justice. NAACP attorneys were aided in getting the highest court in the land to void these restrictive covenants. What the court ruled was that, whereas it could not prevent persons from entering into such covenants, nevertheless the courts could not be used to enforce their observance. Widespread publicity was given to this momentous decision by the U. S. Supreme Court and the facts in the case were known to laymen as well as to lawyers.

But it appears that local lawyers have found a loophole in the Supreme Court ruling or think they have. This is surmised by laymen who read last week that five former residents of Twenty-first Avenue, North had been named defendants in suits filed in the Circuit Court here, asking damages of $10,000 because of the sale of their property to Negro citizens.

The suit is against the Marvin Hall Realty Company, it was stated, as well as the five white persons whose property had been sold. It was stated that Attorney R. C. Boyce, Jr., on behalf of B. B. Coffee, a long time resident of 325 Twenty-first Avenue North was handling the lawsuit. Other defendants, it was stated, included the Nashville Trades and Labor Council President, Lee Sanders. Mr. Sanders, it was charged sold property at 324 Twenty-first Avenue, North; also "Corinne Cantrell," who lived at 333 Twenty-first Avenue, N., Max Shotten, 339 Twenty-first and Andrew Calvo, 347 Twenty-first."

It is contended by Attorney Boyce, it was stated, that his client (B. B. Coffee) and these defendants had all entered into a written agreement to sell their property only to white persons and that the property had been considerably devaluated by the sales.

It was further stated that Attorney Boyce had filed a similar suit last month against Mrs. J. B. Brimbly, formerly of 338 Twenty-first Avenue North, on behalf of A. E. Ferguson of 349 Twenty-first Avenue North, and that the attorney is expected to take similar action for his client against all of the defendants.

Some interesting facts came to light immediately following the daily paper news story telling about the suit Attorney Boyce had filed on behalf of his clients. The most important fact of course was that the suit deals with the area which "interested parties' 'have petitioned Mayor Thomas L. Cummings and the City Council to change from a residential section to a commercial zone and the resistance of all of the colored purchasers of property in the area, and their friends throughout the city, to the change.

Race Prejudice Charged

It has been stated by the colored property owners that race prejudice was one of the motives of "interested parties" in seeking to make a commercial zone out of this hitherto desirable resdential section. It is reported that when the charge of race prejudice was first made against "interested parties" they stoutly denied that any race prejudice at all was involved; that they merely were interested in the commercial growth of Nashville. They had noted that an H. G. Hill store was located on Charlotte Avenue between 21st and 22nd Avenue, North and gave that as a reason for saying it would make no difference to open the area for a general reception of business places of various kinds. This would mean more congestion on Charlotte Avenue as a result of parked automobiles in front of the business places.

Those who charge "race prejudice" is involved point to what is said in the strange lawsuit that has been filed. It says the cilent of Attorney Boyce wants $10,000 damages because his property "has been considerably devaluated by the sales" which broke a written agreement among the white owners "to sell their property only to white persons."

Charter Not Mentioned

It appears that no mention was made regarding the character of the colored purchasers of homes in the area. The mere fat that the white owners sold their property "to the present Negro owners" it appears is the chief contetion of Attorney Boyce's client in asking that he get "balm" in the sum of $10,000 and presnmably that is to be the sole contention of others who it is reported will file suit against the former white owners of the property and the Marvin Hill Realty Company.

It is probable, however, that the courts will be asked to take into consideration the character of the colored purhasers of the property in determining whether or not Mr. Coffee **et al** have had their property onsiderably devaluated by the sales.

Shool Teacher "Exhibit A"

The probable Exhibit A of the kind of colored people who have purchased property of the 21st Avenue, North section of the area is none othe rthan Miss Fannie M. Banks, member of the faculty of Washington Jr. High School who boasts that for a period of forty years she has been a teacher in the public schools of Nashville. It is known that Miss Banks has few equals as an English teacher. She down through the years has been the very finest expression of the public school teacher who by precept and example has led the youth of this city to "higher ground."

For many years Miss Banks lived at 708 Gay Street. She like other residents of Gay Street is being fored to move elsewhere to make way for the redevelopment of the area around the State Capitol. Miss Banks, it is stated by her friends, wanted a place for her new home that would be a quiet retreat from the noise such as one must endure in a commercial district where it is very probably there will be business places" catering to customers who will be enjoying life throughout the night and until the early hours of the morning. This beloved school teacher never would have purchosed her new home had she been aware of the fact that shortly after she moved in she mould find herself owning property in a probably noisy commercial area of Nashville. From her standpoint, it is she, rather than Mr. Coffee, who will suffer considerable devaluation of her property if a cimmercial zone is made out of a present desirable residential area.

Mayor May Ask Proof

How "interested parties" will be able to say Miss Banks, the inspired and inspiring colored school teacher for forty years will "devalue" other property in the section by living in her home, and do so because of something else she is, other than a colored citizen, is one of those problems for which Attorney Boyce must find a satisfactory answer. The whole of colored Nashbille most certainly will be waiting for the attorney's proof. It would seem to be an item of proof that both Mayor Cummings and members of the City Council will appreciate having as they sit in judgment on the plea to "commercialize" the zone in which Miss Frances Banks has purchased what she thought would be a desirable home for herself, after forty years of service in the school system of Nashville.

Maybe those who have the responsibility of changing residential sections to commercial zones may not think Miss Frances Banks and her neighbors would be getting a square deal should city officials gerrymander the colored property owners into a commercial zone. You just can't tell.

Fisk Teacher, Also

One of Miss Banks' neighbors, it is learned, is the family of Dr. and Mrs. Preston Valien. He is one of the respected members of the Fisk University faculty. Here again Mayor Cummings and members of the City Council ought to have proof that something other than the fact they are colored citizens, renders them subject to having their homes put in a commercial zone and that something about them other than the fact they are colored allegedly caused property values near their new home to slump in value as soon as they moved into the new section.

It is learned that all of the purchasers of the new homes qualify as desirable citizens. They are able to keep their property in the fine state of repair for which most of these homes were noted when occupied by white citizens. The fact is they say that they will not let their property run down as have a few of those who now live in the area—some of the white owners of property, that is.

Is It a Good Lawsuit?

From what has been published it does not appear to persons outside the legal profession that Attorney Boyce has good grounds for his suit. And it does seem that we need would seem that a demurrer or any lawyers. To the lay mind it appears has been made by already he must could not it pointed out that the Supreme Court of the United Statesan Association for the Protection dy had said that the courtsof White People if it is really true not be called upon to forcethat a white citizen, who can't get individual property owner tomore than four thousand dollars up to his promises as writtenfor a piece of property from another white person, nevertheless is restrictive covenant. prohibited from selling his property to a colored American who is

Whites Need Protection

willing to pay the owner eight thousand dollars for the property. One or the other of the Four Freedoms, it does seem, will have been tossed out the window if Lawyer Boyce wins his lawsuit for $10,000 against the several white citizens here named and the well known white real estate company.

And another thing: Miss Frances Banks will go back to her Washington Junior High pupils and tell them that she accidentally has been putting on a lot of false propaganda in saying that colored people, too, were to be beneficiaries of the four freedoms following the "duration."

Negro Project Homes Blown Up

NASHVILLE, Tenn., Dec. 8—(AP)—Two new houses, part of a proposed housing project for Negroes near here, were dynamited last night near the spot where a fiery, 15-foot cross was burned last April, police reported.

Sheriff Garner Robinson said the neat, one-story houses were partially destroyed by an explosion set off beneath the foundations. He said it had been definitely planted and that a large quantity of explosive had been used.

The owner of the houses, E. D. Phillips, said it was the second time someone has tried to blow up the property. Sticks of dynamite were thrown into the front yards of the houses at night more than a month ago, he said, but caused no damage.

OFFICERS SAID they believed the explosions, like the cross burning, were in protest against establishment of a large Negro housing project in the area. Phillips said plans call for 300 units in the development.

Phillips said he believed the dynamiters were "the same ones who burned the cross," but he did not reveal any names.

The cross was set aflame on top of an abandoned railroad overpass near the houses and was visible for miles around. At that time only the foundations of the two houses were completed.

See No Link To FHA Rule In Dynamiting

NASHVILLE—FHA's new non-bias policy, at first blamed for an explosion which damaged a housing project for Negroes, last week, has been discounted as the cause by investigators.

Police announced that the incomplete 300-unit project was attacked by vandals last April, and a cross burned on the site. They are investigating a lead that indicates persons involved in the April disorder are responsible for the blast.

Meanwhile, Gov. Browning posted a $500 reward for information leading to the arrest and conviction of those responsible.

What was described as a dynamite charge, partially destroyed two of the neat one-story houses that make up the development in suburban Nashville.

Several residents of the Antioch-Woodbine community have been questioned by police since the governor offered his reward.

The FHA policy mentioned was President Truman's order that mortgage insurance be denied lenders if the property covered has racial or religious restrictions in the deed.

Members By Vote Of 14 To 5 Kill Bell's Proposal

Large Crowd of Citizens at Council Meeting On Tuesday Night Saw "City Fathers" Overwhelmingly Turn Down Measure Rigged To Benefit Selfish Few

Fourteen good men and true, members of the City Council, on Tuesday night, voted down the harsh proposal to re-zone the section of the city in the vicinity of 21st Avenue, North and Charlotte Avenue over which there has been quite a controversy for several weeks. The persons who led the movement to get the section rezoned were able to muster only five votes in the final showdown. The vote was as follows:

VOTING TO TABLE THE PROPOSAL TO RE-ZONE THE SECTION: Councilmen Bartlett, Castleman, Doyle, Farrar, Levine, Mansfield, Melfi, Morgan, Ragsdale, Robinson, Henry Sadler, Joe Sadler, Sofge and Woodroof. Total 14.

VOTING TO RE-ZONE THE AREA AND CHANGE IT FROM A RESIDENTIAL TO A COMMERCIAL SECTION: Councilmen Bell, Draper, Overall, Williams and Wilson. Total, 5.

The overwhelming vote by which the re-zoning proposal was defeated clearly indicated that most of the members of the council did not know the hardship that was about to be visited upon quite a number of citizens who had bough property in an area that heretofore had been a fine residential section in which white people had lived. When these facts were presented, and when the councilmen noted the large attendance of citizens from all parts of the city who had appeared to register a protest against the harsh proposal, they lost no time in taking a stand that stamps them as public officials who believe in being fair in their dealings with citizens, regardless of race or color.

As has been pointed out in the Nashville GLOBE, this was nothing more than a proposal of a small element of the people to get the city to back them in a move that would be financially profitable to them. They seemed unconcerned about doing damage to the recent purchasers of homes, who since buying them had gone to considerable expense in making many improvements. By changing the residential section to a commercial zone the result would have meant that no owner of a home probably ever could have sold it for as much as he had paid for it.

Also by changing the section to a commercial zone, it is probable that many kinds of undesirable "places of business" would have opened up and all of the hopes of the new home owners of having a nice quiet neighborhood in which to live and rear their children would have "gone with the wind."

The crowd that attended the council meeting on Tuesday night of this week to protest against the re-zoning proposal included many leaders of organizations. When the re-zoning proposal came up Vice Mayor Ben West recognized Attorney C. L. Ennix, who made a talk by way of introduction of the protesting group. Then followed Attorney Z. Alexander Looby who was counsel for the protesting group. Attorney Looby went fully into the proposal and exposed it as the move of "selfish interests" who could not give a sound reason why a long-established residential section ought to be made a commercial zone. There were other speeches by citizens living in the section scheduled to be re-zoned. Also a talk by Mrs. J. Frankie Pierce, president of the City and State Federation of Colored Women's Clubs. In all there were seven or eight persons who made short talks after Attorney Looby.

One of the Councilmen, Mr. Melfi, succeeded in getting one part of the area scheduled to be rezoned taken out because nobody had consulted him before putting a part of his ward in the proposal.

The argument in favor of rezoning was made by Attorney Tom Ed Murray, white, who did as well as could have been expected considering how unfair and illogical the re-zoning proposal was. Councilman Morgan opened out by Vice Mayor West. Councilman J. J. Bell who represents the Fifth Ward made as hard a fight for re-zoning as he is capable of making but to show how little he had studied his own proposal and the "mechanics" of the re-zoning proposal was passed in the council, he was voted down. The floor leadership in the fight to kill the proposed re-zoning ordinance was taken by Councilman Joe Saddler. The proposal was killed, as above pointed out by Mr. Saddler's motion, which was seconded by Councilman Morgan.

2 Homes Under Construction Dynamited

(Special to The Courier)

NASHVILLE, Tenn.—Two new houses, part of a proposed project for Negroes on Antioch Pike, were blasted last week near the spot where a fifteen-foot fiery cross startled Davidson County last April.

The neat one-story houses, nearly ready for occupancy, were partially destroyed about 10:15 P. M. Dynamite or some other explosive had apparently been carefully laid beneath each one, county and state officers said.

* * *

AFTER THE EXPLOSION, it was revealed for the first time that dynamite had been thrown into the yards of the houses at night more than a month ago. The builder, E. D. Phillips of 1918 Riverwood Drive, said these earlier charges exploded harmlessly on the ground.

Sheriff Garner Robinson went to the scene of the explosions, about two miles east of Nolensville Road, to take charge of the investigation. He said a "full-scale investigation" will be instituted.

Front rooms were collapsed and concrete block foundations crumbled by the charges, placed under a corner of each house. Shingles and planking were thrown all over the yards and hurled as far as 150 feet away from the houses to the road. Roofs sagged, walls were ripped apart, and windows blasted out.

A foundation for a third house in the area was not molested.

* * *

OFFICERS EXPRESSED belief that the explosive blasts, like the burning cross earlier this year, was in protest to the establishment in the area of a large Negro housing project. Phillips said plans call for 300 units in the project.

Phillips said FHA financial aid had been applied for in building the project and had been "promised."

He said he was using non-union labor, but added that he had had no labor trouble.

There were no immediate clues to the identity of those planting the explosives. Officers said they met no automobiles on their way to the scene, there was no one in evidence in the vicinity, and only one car passed them while they were there.

ROBINSON'S OFFICE was notified of the blast at 10:20 P. M. and half a dozen deputies arrived at the scene thirteen minutes later. John Cole, state fire marshal, also investigated, as did Sgt. T. G. Pate and J. W. McCrary of the state highway patrol.

The officers said the blast was obviously caused by "a large quantity" of explosive which was "definitely planted" under foundations of the houses. It could not have been thrown from a passing automobile, they added.

Part of the investigation will be directed at discovering what kind of explosive was used, since officers cannot be positive dynamite was the medium.

* * *

PHILLIPS SAID HE telephoned officers on being notified of the explosion by a Negro family residing in an adjoining lot about 500 yards from the project. The only other home nearby is that of a white family, near an N. C. & St. L. railway trestle about 1,000 yards away.

Officers said lights were on in both the nearby homes, but there were no spectators on the scene.

Phillips said the houses were completed except for laying the hardwood flooring, "two days more work." One of them already had been sold to a Negro family.

He said the houses were built for Dan Gentry of Madison, owner of the Madison Builders' Supply Company, and would be rebuilt. He said he and Gentry will go ahead with plans for joint construction of the remaining units in the large project despite the incident.

* * *

PHILLIPS TOLD THE sheriff's office he had information which might lead to identification of the dynamiters, but declined to elaborate. He said he assumed they were "the same ones who burned the cross."

He said he had received no threats or warnings to stop building the houses. The only indications he received in the nature of protest against the project, he said, were the earlier dynamiting attempt and the cross-burning.

The fifteen-foot cross was fired about 8:15 P. M. April 6 and drew a large crowd of spectators. Made of strong, heavy wood, wrapped with cloth and cotton saturated in kerosene bound to the frame with strands of heavy wire, it was perched atop an abandoned railroad overpass and was visible for miles around.

* * *

AT THAT TIME, only the two foundations of the houses which were blown up tonight had been constructed. Dr. Needham R. Roberts, East Nashville Negro dentist, owned the property at that time, but he said tonight he had subsequently sold it to Gentry.

'WAIT AND SEE'---THE NEXT VOTER WAS TOLD

Political Science Students Hunt 'Slaverylike' Conditions in Dixie

Atlanta Constitution

We are bitterly disappointed with Georgia and with Atlanta. We have, admittedly, only been in Georgia for just over 24 hours, and in Atlanta for even less time than that. But it just does not look as if we were going to find what we were told we would find in Atlanta.

This must sound both mysterious and confusing. Thus we will perhaps better explain. "We" are a group of political-science students, from Brooks School North Andover, Massachusetts. Our average age is 17. Some time ago we decided to publish regularly our comments on current events in our own political semi-monthly which we called The Next Voter.

We were almost unbelievably lucky. The Next Voter had been intended only for a purely local circulation — faculty, parents, alumni, and students. But somehow or other it happened that it found its way into the real world of politics. Diplomats, politicians, senators, ambassadors, educators, editors at home and abroad became our subscribers.

We felt both proud and embarrassed. Gov. Dewey wrote to us: "You are a real public servant." Walter Lippmann praised

Wed 7-6-49

Four "Yankee" preparatory school boys are touring the South and writing their objective impressions. They are talking to the people, not only to politicians and individuals with a torch. They find the South is steadily progressing and that the stories they heard north of the Mason-Dixon Line just don't seem to materialize in fact. In short, they like the South.

in most flattering terms. The sident of Princeton wrote, "You are coming close to a fundamental need of American education." The Voice of America broadcast us to the Soviet Union. It was all most exciting.

One of the subjects which made an almost daily appearance in our own editorial meetings as well as in our ever-increasing correspondence was the controversy about President Truman's civil- rights program. A good many people in the East and in the North tried to make us believe that conditions in the South were unbelievable, the Southerner not only treated the Negroes like slaves, but worse than that. We were told that the present state of affairs just could not continue within a civilized country.

We decided there was nothing else to be done but to give up our vacation plans, and instead go to the South on a reporter's job in order to find out on the spot what was really happening.

Wed 7-6-49

We left Brooks School, North Andover, Mass,—i.e. the editorial offices of The Next Voter —a month ago in an old and very decrepit car. Our first stop was Washington. We not only attended President Truman's press conferenee and spent a whole afternoon inside the White House, we not only had the privilege of private and confidential talks with people such as Supreme Court Judge Felix Frankfurter, President Johnson of Howard University, but we talked above all to literally dozens of Southern Senators and Congressmen.

Their point-of-view in the civil-rights problem seemed to be more or less unanimous. They explained to us that they do not oppose the President primarily on human or ethical reasons, that they were as much in favor of the Negroes' development as anybody else, but that they opposed the civil-rights program on constitutional grounds. Questions such as FECP, poll tax, segregation, and lynching (the latter being almost purely theoretical since the cases are too rare to be really a problem) ought to be settled by the states—as indeed they are being done—and not by the Federal Government. Once the Federal Government began to interfere, so they argued, with the independent actions and decisions of the individual States, the Federal Government would assume more and more power, the U. S. A. would be on the road to socialist slavery, and the whole of our free constitution would be in jeopardy.

This argument seemed to us fair, sound and constitutional. When we told this to some of our friends, they said (not quite logically, perhaps): "You just wait and see until you are in the South. Open your eyes and see how the Negroes are being treated by the reactionaries."

Wed 7-6-49

We started. We toured through Virginia. We stopped in towns and in villages, in cities and in fields. We spoke to workers and to industrialists; we interviewed intellectuals and illiterates. We discussed matters with farmers and unemployed, black and white.

We saw no misery; we saw no suffering; we saw a genuine attempt being made by both sides to solve in the most friendly way conceivable the racial problem. The white people wanted to achieve more and more for the Negroes. The colored people we met were full of praise for what the white people had done for them within recent decades, and they had strange things to say about what they called "the Northern agitators and politicians" who want "to play political football wi us." We were baffled, surprised and staggered.

"You are not in the South yet; anyhow, not in the real South," said those of our friends who had told us we would encounter the most inhuman conditions. "You just wait and see." We did.

We proceeded to Tennessee. Our experience was identical. Knoxville, Oak Ridge, Chattanooga, Bristol, Nashville and so forth. A happy relationship; a happy people. There just was no racial problem which could not be solved and was not being solved by the people of Tennessee. We can truthfully say that we did not see one single instance of racial suffering, injustice, inhuman treatment or approach.

When we discovered that the sixth annual meeting of the Institute of Race Relations was taking place at Fisk University in Nashville, we decided to attend it for a week. People like Roger Baldwin, the Director of the Civil Liberties Union, made fiery speeches. Had we listened to them in New York or Boston, we would have been greatly impressed, and we would have felt bitter about the reactionaries, inhuman Southerners.

7-6-49

But here we were on the spot; here we could see that reality was utterly opposite to what the Civil Righters tried to tell us. When we expressed our astonishment, they replied: "Tennessee is exceptional. You just go to Georgia or some similar barbaric state. You just wait and see."

And so we traveled several more hundred miles. And so we came to Georgia. And again, on our way to Atlanta—through Georgia and in Atlanta—we already have spoken to rich and poor, black and white, farmer and factory workers, shopkeeper, and so forth. The picture was the same friendly, pleasant, happy one as in Virginia, as in Tennessee.

Perhaps we have met the wrong people; perhaps we did not proceed in the right way. But we can truthfully say nobody showed us around, we selected places, people, and circumstances on our own, and we have not met yet any real racial problem, any real suffering, and real injustice. In fact, we have not come across one single situation or one single problem which the respective people are not trying to solve themselves and are not solving themselves.

Nobody within his senses can deny there are problems and much remains to be done, but it seems to us the people of the South are not only much more realistically aware of them than of the Northern politicians and idealists, but they have achieved by work and good will infinitely more than some of their attackers will ever achieve by words and the spreading of national disunity.

7-6-49

We have waited for a month, day after day; we have seen for a month, day after day. We shall continue to do so. We shall try to judge and report honestly and dispassionately, to the best of our ability and to the best of our conscience. But the phrase "wait and see" has, so far, certainly not produced the reactions which so many Civil Righters had anticipated. It has produced exactly the opposite.

We have waited and we have seen—perhaps more, and more objectively than some people had hoped for.

Seven Whites Arrested in 3-Month Investigation of Threats Against Family

Richmond, Va. (NNPA)—Threats against a colored family living in a so-called white residential area resulted last Thursday night in the arrest of seven white persons, three of them were juveniles.

The arrests climaxed a three-month investigation by agents of the Federal Bureau of Investigation and local detectives.

The adults were charged with disorderly conduct and destroying private property at 2700 Barton avenue, where J. W. Sweat, a teacher at George Mason School, and his family live. The juveniles were charged with delinquency in connection with the same offense.

Those arrested were Sanford D. Smith, 18; Howard M. Pienhefsky, 18; Howard C. Ganzart, 18, and James B. Walthall, 22. All three juveniles were 16 years of age.

Intimidation of Mr. Sweat and his family began less than a month after they bought and moved into the house. A large, well-constructed cross was burned on the front lawn on January 20.

Cross-Burning

The cross-burning was followed shortly with two threatening letters, one containing a live bullet. A brick was thrown through a front window and the house was peppered with shots from air rifles.

Detective Sergeants C. E. Fagen and R. H. Burton were detailed to the case after Mr. Sweat asked Police Chief O. D. Garton for protection. The FBI entered the case shortly after the two threatening letters were received by Mr. Sweat.

Only Negro Family

The Sweats are the only colored family in the neighborhood. Mr. Sweat reported that his neighbors had been friendly with his family after he purchased the house from a white person until the time the cross was burned.

The cross, about five feet high and four feet wide and constructed of a twolby-four inch planks with oil soaked burlap bagging, was discovered by a neighbor about 8:30 o'clock at night.

The neighbor called police and two detectives were sent to the scene. Until the arrival of police the sweat family were unaware that the cross had been burned.

The two letters were received on January 25, one in the morning and the other in the afternoon. One bore a Richmond postmark and the other was mailed in Washington.

On February 27, a brick was tossed through a first-story front window of the home. No one was injured.

On at least two occasions, the Sweats reported to police that air rifle shots were heard bounding against the side of the house.

WHITE SEGREGATIONIST INJURED IN RICHMOND HOUSING TROUBLE

Gets Shotgun Blast When Property Owner Alleges He Started Shooting at Home

HAD BEEN HANGING AROUND ALL DAY

RICHMOND, Va. — (ANP) — Bitter opposition to a Negro family moving into a white neighborhood resulted in a neighborhood row during which a white man was wounded as a result of shots from a gun blast, it was disclosed here in police court in August when the Negro charged with the shooting was bound over to Hustings court.

The charge against 24-year-old James Crews, son of a recent purchaser of a dwelling at 3071 Midlothian Turnpike, was certified by Judge Harold C. Maurice. The $750 bond posted earlier, the judge said, would remain in effect.

Judge Maurice dismissed charges against two white men, James Cheek, 26, and Teddy Hall, 28, both of Midlothian Turnpike, for damage to property at the adjoining address.

Cheek was sturck above the eye from the shotgun blast on Aug. 6 while he was sitting in his parked automobile near the house that the Negro family intends to occupy.

Crews is reported to have admitted firing the charge that struck the automobile in which the white men was sitting and two others from the inside of the house at 3071 address. He told the court he fired after he had heard several gun reports from outside the parked automobile and saw flashes coming from the vehicle.

The two white men denied that they fired any gun in the neighborhood that night and also said they were not responsible for broken window panes in the disputed house.

Crews' mother, Mrs. Mable Crews, testified that she bought the property at 3071 Midlothian Turnpike in the middle of July. About a week later, she said, a resident of the block told her she would "be sorry" if she moved there.

James Crews told the court that he and his wife on the night of Aug. 6, along with his brother went to the address to spend the night. After they had retired to two rooms on the second floor, Crews said he heard shots outside. It was then that he fired the shotgun through the window, he said.

Cheek claimed that he drove up, parked in the block and talked to Hall before he left the car. Then he sat in the car to wait for Hall's return. Cheek said a shotgun charge struck the door of his car and that one pellet struck him in the face. It was then that he called for help.

Hall told the court that he came running around the side of the house and that he was fired on as he passed a window of the adjoining dwelling. It appears that the two men had been hanging around the house, though neither one of them explained why they were there. They claimed that they drove off after the shooting.